

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 3096**

**FISCAL  
NOTE**

By Delegate Rohrbach

[Introduced; referred to  
the Committee on ]

1 A BILL to amend and reenact §16B-13-7 of the Code of West Virginia, 1931, as amended, relating  
2 to requiring the Office of Health Facility Licensure and Certification to inspect office-based  
3 medication-assisted treatment programs at least every 24 months.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 13. MEDICATION-ASSISTED TREATMENT PROGRAM LICENSING ACT.**

**§16B-13-7. Inspection; inspection warrant.**

1 (a) The Office of Health Facility Licensure and Certification shall inspect each opioid  
2 treatment program annually, including a review of the patient records, to ensure that the program  
3 complies with this article and the applicable rules. A pharmacist, employed or contracted by the  
4 director, licensed in this state, and a law-enforcement officer may be present at each inspection.

5 (b) The Office of Health Facility Licensure and Certification shall perform unannounced  
6 complaint and verification inspections at office-based medication-assisted treatment programs,  
7 including a review of the patient records, to ensure that the program complies with this article and  
8 the applicable rules. In addition to the unannounced complaint and verification inspections, office-  
9 based medication-assisted treatment programs shall be subject to formal inspections at least once  
10 every 24 months and shall include a review of the patient records to ensure that the program  
11 complies with this article and the applicable rules. A pharmacist, employed or contracted by the  
12 Inspector General, licensed in this state and a law-enforcement officer may be present at each  
13 inspection.

14 (c) During an onsite inspection, the inspectors shall make a reasonable attempt to discuss  
15 each violation with the medical director or other owners of the medication-assisted treatment  
16 program before issuing a formal written notification.

17 (d) Any action taken to correct a violation shall be documented in writing by the medical  
18 director or other owners of the medication-assisted treatment program and may be verified by  
19 follow-up visits by the Office of Health Facility Licensure and Certification.

20 (e) Notwithstanding the existence or pursuit of any other remedy, the Inspector General

21 may, in the manner provided by law, maintain an action in the name of the state for an inspection  
22 warrant against any person, partnership, association, or corporation to allow any inspection or  
23 seizure of records in order to complete any inspection allowed by this article or the rules  
24 promulgated pursuant to this article, or to meet any other purpose of this article or the rules  
25 promulgated pursuant to this article.

26 (f) When possible, inspections for annual certification and licensure by the medication-  
27 assisted treatment programs will be done consecutively or concurrently. However, this provision  
28 does not limit the ability to conduct unannounced inspections pursuant to a complaint.

NOTE: The purpose of this bill is to require the Office of Health Facility Licensure and Certification to inspect office-based medication-assisted treatment programs at least every 24 months.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.