



STATE OF WEST VIRGINIA  
DEPARTMENT OF HEALTH AND HUMAN RESOURCES


**Bill J. Crouch**  
Cabinet Secretary

WHEREAS, by Proclamation of a State of Emergency on March 16, 2020, the Governor of the State of West Virginia ORDERED the West Virginia Department of Health and Human Resources and others to facilitate the provision of essential emergency services to alleviate the potential impacts to the people, property, and infrastructure of West Virginia that may be caused by the COVID-19 outbreak; and

WHEREAS, in accordance with Article 1, Chapter 16 of the W. Va. Code, the Secretary of the Department of Health and Human Resources is charged with establishing a state public health system that promotes and protects the health of West Virginians from communicable disease through necessary prevention and control whenever possible; and

WHEREAS, the Secretary hereby determines that knowingly accepting patients under treatment for COVID-19 from another state and placing them in a health care facility of the state health system would further expose West Virginians to known cases of the COVID-19 disease and cause the commitment of scarce health care resources for persons other than the people of West Virginia; and

NOW, THEREFORE, the Secretary declares that hospitals in the state of West Virginia are herewith authorized to decline the transfer of out-of-state patients currently hospitalized for the treatment of COVID-19, provided that nothing in this Order shall be construed to encourage the refusal of treatment of persons already present in the state of West Virginia for education or employment, regardless of residency, the refusal to treat persons in bordering states who are present in West Virginia for treatment due to expediency of treatment, or the disruption of normal referral patterns.

  
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Bill J. Crouch, Cabinet Secretary

  
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Date