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West Virginia House Health and Human Resources Committee  
West Virginia State Capitol  
1900 Kanawha Blvd. E.  
Charleston, WV 25305

Dear Delegate,

On behalf of the 8,593 members and supporters of the Council for Citizens Against Government Waste in West Virginia, I urge you to support [H.B. 4013](#), which would repeal the state's Certificate of Need (CON) laws. The original intent of CON laws was to reduce duplicative services and lower costs in the healthcare marketplace. But CON laws have instead reduced options for patients and stifled innovation.

According to the [Kaiser Family Foundation](#), states operating with CON laws on average have 11 percent higher healthcare costs than those without CON laws. These states also have 13 percent fewer hospitals. [Twenty states](#) temporarily repealed CON law restrictions during the height of the COVID-19 pandemic to ease the burden of overrun hospitals and allow facilities to meet the needs of patients. Today, many of those states are considering permanent repeals, as COVID-19 is still a threat to many communities. This is certainly true in West Virginia, which has seen an increase in hospitalized COVID-19 patients and some hospitals at full capacity. Reducing government red tape and allowing the health care market to react appropriately to meet the needs of patients would help alleviate this problem now and in the future.

CON laws disproportionately impact rural communities, and in West Virginia, [34](#) of the state's 55 counties are rural. States with a majority of rural communities are at a [disadvantage](#) in Medicare spending per beneficiary, hospital readmission rates, ambulance utilization, and emergency room utilization. CON laws repress growth and innovation in medical facilities and limit resources in these rural communities.

CON laws offer fewer options for patients, increase costs, and reduce technological advancement. A September 2016 Mercatus Center [report](#) by Thomas Stratmann and David Wille found that hospitals in states that enforce CON laws average 6 more deaths per 1,000 patients or are 5.5 percent higher than states without CON laws, in part due to complications after surgery.

I urge you to support H.B. 4013 and put the needs of patients and taxpayers first by repealing CON laws in the Mountain State.

Sincerely,

*Tom Schatz*