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**WEST VIRGINIA CODE CHAPTER 16**  
**ARTICLE 53**

WV Legislature

**§16-53-1. Establishment of substance use disorder treatment and recovery services.**

(a) The Secretary of the Department of Human Services shall ensure that substance use disorder treatment or recovery services, or both, are made available in locations throughout the state which the department determines to be the highest priority for serving the needs of the state.

(b) The secretary shall identify and allocate funds to appropriate facilities to provide substance use disorder treatment services, which shall be provided via an inpatient or outpatient service model. These facilities shall:

(1) Give preference to West Virginia residents;

(2) Accept payment from private pay patients, third person payors, or patients covered by Medicaid;

(3) Offer treatment, based upon need;

(4) Work closely with the Adult Drug Court Program, provided for in §62-15-1 *et seq.* of this code; and

(5) Be licensed by this state to provide substance use disorder treatment services.

(c) The secretary shall identify and allocate funds to appropriate facilities to provide recovery services. Peer-led facilities shall follow standards set forth by the National Alliance for Recovery Residences and offer access to peer support services.

(d) Other programs or projects designed to address substance use disorder, and a study or studies designed to evaluate substance use prevention education programs in schools, may be eligible for funding at the secretary's discretion and as funds are available.

**§16-53-2. Establishing the Ryan Brown Addiction Prevention and Recovery Fund.**

The Ryan Brown Addiction Prevention and Recovery Fund is created in the state treasury as a special revenue account. The fund shall be administered by the Secretary of the Department of Human Services and shall consist of all moneys made available for the purposes of this article from any source, including, but not limited to, all grants, bequests or transfers from any source, any moneys that may be appropriated and designated for those purposes by the Legislature and all interest or other return earned from investment of the fund, gifts, and all other sums available for deposit to the special revenue account from any source, public or private. Expenditures from the fund shall be for the purposes set forth in this article and are not authorized from collections but are to be made only in accordance with appropriation by the Legislature and in accordance with the provisions of article three, chapter twelve of this code and upon the fulfillment of the provisions set forth in article two, chapter eleven-b of this code. Upon the effective date of this section, the attorney general and any public official with custody or control of the proceeds recovered for the state pursuant to settlement agreement dated January 9, 2017, in that certain civil action then pending in Boone County, designated Civil Action No. 12-C-141, shall forthwith transfer, or cause the transfer, of those proceeds into the Ryan Brown Addiction Prevention and Recovery Fund in the manner directed by the state treasurer pursuant to articles one and two, chapter twelve of this code and all other applicable law.

**§16-53-3. Rulemaking.**

The Secretary of the West Virginia Department of Human Services shall promulgate emergency rules pursuant to the provisions of §29A-3-15 of this code to effectuate the provisions of this article.

WV Legislature