WEST VIRGINIA CODE: §16b-12-3

§16B-12-3. Annual capitation rate review.

(a) The Bureau for Medical Services shall conduct an annual study reviewing the adequacy and appropriateness of the reimbursement rates to providers in the Intellectual and Developmental Disabilities Waiver (IDDW) program, the Aged and Disable Waiver (ADW) program, the Personal Care (PC) Services program, and the Traumatic Brain Injury Waiver (TBIW) program. The bureau shall also include a recommendation for any adjustment deemed appropriate, including, but not limited to, annual inflationary costs, costs arising from amendments to existing contracts, costs relating to recruiting and retaining personnel, and any other costs necessitating additional payments to IDDW providers, ADW providers, PC providers, and TBIW providers. The bureau may require, and contracted providers shall provide financial data to the bureau to assist in the study. Without limiting the generality of the foregoing in conducting this study, the bureau shall review and compare equivalent programs both in and out of state in order to determine appropriate rates.

(b) Upon completion of the study, Bureau for Medical Services shall provide the report to the Joint Committee on Finance beginning July 1, 2024, and annually thereafter, on its findings, conclusions, and recommendations, together with drafts of any legislation necessary to effectuate its recommendations.

WV Legislature