WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1965

ENROLLED

SENATE BILL NO. 196

(By Mr. McCord)

PASSED March 3, 1965

In Effect July 1, 1965

# 176

FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 3-18-65
ENROLLED
Senate Bill No. 176
(By Mr. McCourt)

[Passed March 13, 1965; in effect July 1, 1965.]

AN ACT to amend and reenact section two, article eight, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to further amend said article eight by adding thereto a new section, designated section two-a, all relating to the establishment by county courts of local mental health programs and deducting the cost of such programs from the annual county debt to the state of West Virginia for the maintenance of resident patients at state mental institutions.

Be it enacted by the Legislature of West Virginia:

That section two, article eight, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that said article
eight be further amended by adding thereto a new section, designated section two-a, to read as follows:

Section 2. When and How Counties to Pay.—If the state mental institution is unable to collect a minimum of one hundred fifty dollars per annum toward the maintenance of a patient, whether on a voluntary or involuntary status, the county of which the patient is a resident shall annually pay into the state treasury for credit to the appropriate institution the difference between the amount, if any, collected by the institution and the sum of one hundred fifty dollars, subject, however, to the provisions of section two-a.

At every levy term of each county court it shall estimate for and levy a sufficient amount to meet all such expenses. The superintendent of such institution, on or before the tenth day of January of each year, shall certify to the auditor a list of all the patients in the institution during the whole or any part of the preceding year for which the counties are to pay, showing on such list under the name of the county, the number from each county and length of time they were in the institution during
the year, and showing the amount due from each county for each patient, and the total amount due from each county for the year. As soon as such list is received by the auditor he shall charge to each county the amount appearing to be due from the certificates of the superintendents. Within ten days after the receipt of such certificates the auditor shall make out a copy thereof for each county and certify the same to the county court thereof, which list shall show the name of each patient in such hospital from the county during the year, the length of time he was in such institution during the year, the amount charged for each patient, and the total amount charged on account of all such patients from the county; and such total amount shall constitute a debt against the county due the state. Whenever there is in the state treasury a sum of money due any county from any source, the same shall be at once applied on the debt aforesaid against the county, and the fact of such application of such fund shall be reported by the auditor to the county court of the county, which report shall be a receipt for the amount therein named.
The provisions of this section shall apply only to the state mental hospitals proper, and not to the clinics attached thereto.

Sec. 2-a. Local Mental Health Facilities; Credits to Annual Debt.—Any county court which elects to establish a local mental health program and has a completed comprehensive program ready for implementation, and which program is approved in advance by the state director of mental health, shall be allowed to deduct from its annual debt for the maintenance of resident patients in state mental institutions, as set forth in section two, an amount equal to the moneys annually expended by said county court for the establishment and maintenance of said approved local mental health program.

Any county court which desires to establish a local mental health program may make application for approval of such program to the director of mental health on forms to be provided by the director and in accordance with procedures and standards which have been established by the director.
On or before the fifth day of January of each year, each county court which has established an approved program shall certify to the director a detailed statement of its expenditures made for such program on a form to be provided by the director. The director shall have the authority to delete or refuse to approve any expenditures made by the county courts which were not made in accordance with the approved comprehensive plan for that county.

On or before the fifteenth day of January of each year the director of the department of mental health shall certify to the auditor a statement of the approved expenditures made by each county which has elected to establish a local mental health program. The auditor shall deduct such certified sums from the amount determined to be due the state of West Virginia, as provided in section two: Provided, That any amount due which is not used in the operation of such a local mental health program in the fiscal year for which it was made available to provide mental health services to its residents shall continue to be paid into the state treasury: Provided further, That any such approved comprehensive mental
health program must be fully implemented within one year from the date of approval by the state director of mental health.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect July 1, 1965

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 18 day of March, 1965.

Governor