WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1966

ENROLLED

SENATE BILL NO. 26

PASSED February 1966

In Effect Passage

[Signature]

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 2-15-66
ENROLLED

Senate Bill No. 26
(By Mr. Carson, Mr. President, and Mr. Mullins)

[Passed February 8, 1966; in effect from passage.]

AN ACT to amend chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article two-c, relating to the establishment of a home health services program by the state department of health; enabling local health boards to participate in such program; authorizing the receipt and providing for the expenditure of funds for home health services; and providing for the collection of fees for services rendered.

Be it enacted by the Legislature of West Virginia:

That chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by
adding thereto a new article, designated article two-c, to read as follows:

**Article 2-1. Home Health Services.**

**Section 1. Definitions.**—For the purposes of this article:

1. "Home health services" shall mean and include the following services furnished to an individual who is under the care of a physician, such services to be provided on a visiting basis in a place of residence used as the individual's home: (1) Part-time or intermittent nursing care provided by or under the supervision of a registered professional nurse; (2) physical, occupational, or speech therapy; (3) medical social services under the direction of a physician; (4) part-time or intermittent services of a home health aide.

2. "Department" shall mean the state department of health.

3. "Local boards" shall mean local health boards established pursuant to the provisions of article two or two-a of this chapter.

**Sec. 2. State Department of Health to Provide Home Health Services.**—The department is hereby authorized
to provide home health services to those persons living
in areas of the state in which adequate home health serv-
ices are not available otherwise. For such services the
department shall, and is hereby authorized to, charge fees
to individuals to whom it renders such services or to any
governmental agency purchasing such services for indi-
viduals, except for demonstration and public health pro-
gram activities.

In order that it may effectively render home health
services, the department is authorized to employ the nec-
essary personnel including nursing and supervisory per-
sonnel and shall have the further authority to purchase
equipment and materials necessary to maintain an effec-
tive program of home health services.

The department shall, wherever possible, assist and
advise nonprofit agencies or associations in the develop-
ment of a home health services program to be carried out
by such agencies or associations and, for that purpose,
may enter into agreements with these agencies or asso-
ciations specifying the type of assistance and advice it
will render them.
Sec. 3. Local Boards' Authority Respecting Home Health Services.—Local boards are hereby authorized to enter into written agreements with the department for the purpose of rendering home health services to persons within their respective counties and municipalities. Such agreements shall provide for the maintenance of standards established by the department for home health services by the local boards and for such supervision by the department as is deemed necessary to implement an effective program of home health services on the part of the local boards.

Whenever any local board has entered into an agreement with the department as is herein provided, it may render such home health services as are authorized by this article and for that purpose may charge fees and expend moneys to the same extent as this act authorizes for the department. Any local board may render such service anywhere within the area which it serves.

Sec. 4. Funds Received for Home Health Services.—The department and local boards are authorized to receive moneys from any source for home health services. All
such moneys as the department and local boards may
receive for this service shall be used to carry out the pro-
visions of this article.

Sec. 5. Collection of Fees for Home Health Services.—
The department and local boards are authorized to main-
tain legal action through the prosecuting attorneys of the
several counties for the collection of fees charged for home
health services which have been rendered to any person.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

O. Ray Parker
Chairman Senate Committee

James W. Roop
Chairman House Committee

Originated in the Senate.

Takes effect
Passage.

J. Howard McCary
Clerk of the Senate

C. R. Cashiers
Clerk of the House of Delegates

Howard Jackson
President of the Senate

H. Julian Carroll
Speaker House of Delegates

The within Approved this the 15th day of February, 1966.

Hackett C. Smith
Governor