

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1966

ENROLLED

SENATE BILL NO. 26

(By Mr. Carson, Mr. President &
and Mr. Mullens)

PASSED February, 1966

In Effect from Passage

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

#26

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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-~~B~~^c. Home Health Services.

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

2 “Home health services” shall mean and include the fol-
3 lowing services furnished to an individual who is under
4 the care of a physician, such services to be provided on
5 a visiting basis in a place of residence used as the indi-
6 vidual’s home: (1) Part-time or intermittent nursing
7 care provided by or under the supervision of a registered
8 professional nurse; (2) physical, occupational, or speech
9 therapy; (3) medical social services under the direction
10 of a physician; (4) part-time or intermittent services of
11 a home health aide.

12 “Department” shall mean the state department of
13 health.

14 “Local boards” shall mean local health boards estab-
15 lished pursuant to the provisions of article two or two-a
16 of this chapter.

**Sec. 2. State Department of Health to Provide Home
2 Health Services.**—The department is hereby authorized

3 to provide home health services to those persons living
4 in areas of the state in which adequate home health serv-
5 ices are not available otherwise. For such services the
6 department shall, and is hereby authorized to, charge fees
7 to individuals to whom it renders such services or to any
8 governmental agency purchasing such services for indi-
9 viduals, except for demonstration and public health pro-
10 gram activities.

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

17 The department shall, wherever possible, assist **and**
18 advise nonprofit agencies or associations in the develop-
19 ment of a home health services program to be carried out
20 by such agencies or associations and, for that purpose,
21 may enter into agreements with these agencies or asso-
22 ciations specifying the type of assistance and advice it
23 will render them.

Sec. 3. Local Boards' Authority Respecting Home Health

2 **Services.**—Local boards are hereby authorized to enter
3 into written agreements with the department for the
4 purpose of rendering home health services to persons
5 within their respective counties and municipalities. Such
6 agreements shall provide for the maintenance of stand-
7 ards established by the department for home health serv-
8 ices by the local boards and for such supervision by the
9 department as is deemed necessary to implement an ef-
10 fective program of home health services on the part of
11 the local boards.

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

Sec. 4. Funds Received for Home Health Services.—

2 The department and local boards are authorized to receive
3 moneys from any source for home health services. All

4 such moneys as the department and local boards may
5 receive for this service shall be used to carry out the pro-
6 visions of this article.

Sec. 5. Collection of Fees for Home Health Services.—

2 The department and local boards are authorized to main-
3 tain legal action through the prosecuting attorneys of the
4 several counties for the collection of fees charged for home
5 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. Roy Parker
Chairman Senate Committee

James W. Hoop
Chairman House Committee

Originated in the Senate.

Takes effect *Jan* Passage.

Thomas M. Moore
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

Howard Cannon
President of the Senate

H. Saban
Speaker House of Delegates

FEB 15 9 16 AM '66

OFFICE OF THE GOVERNOR

The within *Approved* this the *15th*

day of *February*, 1966.

Walter C. Smith
Governor



PRESENTED TO THE
GOVERNOR

FILED

Date 2/14/66

FEB 15 7 52 PM '66

Time 10:50 AM

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA