

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-28-81

Time \_\_\_\_\_

Mo: 774

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1981

— ● —

## ENROLLED

Com. Sub. for

HOUSE BILL No. 774

(By Mr. Polan + Mr. Farley)

— ● —

Passed April 9, 1981

In Effect January 1, 1982 ~~Passage~~



**ENROLLED**  
**COMMITTEE SUBSTITUTE**  
**FOR**  
**H. B. 774**  
**(By MR. POLAN and MR. FARLEY)**

[Passed April 9, 1981; in effect January 1, 1982.]

AN ACT to amend article one, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fifteen-a, relating to establishing a separate account in the state treasury for fees received from all sources, including the United States government, the state government or third-party payers, by facilities owned and operated by the state health department; requiring development of a five-year plan by the director; permitting the director to make expenditures from the separate account for purposes of developing the five-year plan, improving health services or obtaining certification; requiring recommendations of the director as to capital projects, priorities and cost to be prior made and processed through the budget process for legislative appropriation; providing effective date; and requiring an annual report to be made to the Legislature.

*Be it enacted by the Legislature of West Virginia:*

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

**ARTICLE 1. STATE DEPARTMENT OF HEALTH.**

**§16-1-15a. Hospital services revenue account; effective date.**

1 On and after the first day of January, one thousand nine  
2 hundred eighty-two, and subject to the provisions set forth in  
3 section two, article two, chapter twelve of this code, there is  
4 established in the state treasury a separate account which shall  
5 be designated the "hospital services revenue account." The  
6 director of health shall deposit promptly into the account any  
7 fees received by a facility owned and operated by the state  
8 health department from whatever source including the federal  
9 government, state government or other third-party payer or  
10 personal payment.

11 A five-year health facilities long-range plan shall be de-  
12 veloped by the director and shall be adopted by the state  
13 board of health as regulation in accordance with chapters six-  
14 teen and twenty-nine-a of this code. The health facilities long-  
15 range plan shall be updated and revised at least every two years.

16 The director is authorized to expend the moneys deposited  
17 in the hospital services revenue account in accordance with  
18 federal laws and regulations and with the laws of this state  
19 as is necessary for the development of the five-year health fa-  
20 cilities long-range plan and subsequent revisions.

21 The director is authorized to expend the moneys deposited  
22 in the hospital services revenue account as provided for in  
23 the health facilities long-range plan at such times and in such  
24 amounts as the director determines to be necessary for the  
25 purpose of improving the delivery of health and mental health  
26 services at state health and mental health facilities or for the  
27 purpose of maintaining or obtaining certification at a state  
28 health or mental health facility: *Provided*, That during any  
29 fiscal year in which the director anticipates spending any  
30 money from such account, he shall submit to the executive  
31 department during the budget preparation period prior to the  
32 Legislature convening, before that fiscal year for inclusion in  
33 the executive budget document and budget bill, his recom-  
34 mended capital investments, recommended priorities and es-  
35 timated costs, as well as requests of appropriations for the  
36 purpose of improving the delivery of health and mental health

37 services or for the purpose of maintaining or obtaining certi-  
38 fication at a state health or mental health facility in such  
39 amounts as the director determines to be necessary for the  
40 development of, and as provided for in, the five-year health  
41 facilities long-range plan and subsequent revisions.

42 The director shall make an annual report to the Legislature  
43 on the status of the health services revenue account, including  
44 the previous year's expenditures and projected expenditures  
45 for the next year.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*R. P. Bayless*  
Chairman Senate Committee

*Tony E. Whitlow*  
Chairman House Committee

Originated in the House.

Takes effect January 1, 1982.

*David C. Wulke*  
Clerk of the Senate

*CA Blankenship*  
Clerk of the House of Delegates

*Mark L. Morris*  
President of the Senate

*Walter M. Lee, Jr.*  
Speaker House of Delegates

The within *is approved* this the *2nd*  
day of *April*, 1981.

*Paul D. Rogers*  
Governor

RECEIVED

APR 24 9 33 AM '81

OFFICE OF THE GOVERNOR

RECEIVED

81 APR 29 11:23

OFFICE  
SECY. OF STATE