WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1981

ENROLLED

Com. Sub. for
HOUSE BILL No. 774

(By Mr. Polan + Mr. Franley)

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.

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

A five-year health facilities long-range plan shall be developed by the director and shall be adopted by the state board of health as regulation in accordance with chapters sixteen and twenty-nine-a of this code. The health facilities long-range plan shall be updated and revised at least every two years.

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

The director is authorized to expend the moneys deposited in the hospital services revenue account as provided for in the health facilities long-range plan at such times and in such amounts as the director determines to be necessary for the purpose of improving the delivery of health and mental health services at state health and mental health facilities or for the purpose of maintaining or obtaining certification at a state health or mental health facility: Provided, That during any fiscal year in which the director anticipates spending any money from such account, he shall submit to the executive department during the budget preparation period prior to the Legislature convening, before that fiscal year for inclusion in the executive budget document and budget bill, his recommended capital investments, recommended priorities and estimated costs, as well as requests of appropriations for the purpose of improving the delivery of health and mental health...
services or for the purpose of maintaining or obtaining certification at a state health or mental health facility in such amounts as the director determines to be necessary for the development of, and as provided for in, the five-year health facilities long-range plan and subsequent revisions.

The director shall make an annual report to the Legislature on the status of the health services revenue account, including the previous year's expenditures and projected expenditures for the next year.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

P. P. Bailey
Chairman Senate Committee

Tony E. Whitlow
Chairman House Committee

Originated in the House.

Takes effect January 1, 1982.

J. D. Walli
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

Kenneth A. Meadows
President of the Senate

Charlie W. Seay, Jr.
Speaker House of Delegates

The within _______ approved _______ this the _______ day of ________, 1981.

Governor