WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1984

---

ENROLLED

Comm. Sub. for
HOUSE BILL No. 1615

(By Mr. Speaker, Mr. Lee, by request)

of the Executive

---

Passed March 5, 1984

In Effect Ninety Days from Passage
AN ACT to amend and reenact section sixteen, article twenty-nine-b, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the date on which the health care cost review authority must apply to the federal government for an agreement on reimbursement to hospitals.

Be it enacted by the Legislature of West Virginia:

That section sixteen, article twenty-nine-b, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 29B. WEST VIRGINIA HEALTH CARE COST REVIEW AUTHORITY.

§16-29B-16. Start-up period.

(a) The department of health shall cooperate to the fullest extent possible and transfer all data, records, reports, analyses and summaries filed, collected or developed by the department of health pursuant to article five-f of this chapter, upon request of the board. With the approval of the board the department of health shall expend out of any funds available for the purpose such moneys as are necessary for the use of its staff by the board during the
start-up period, and the department of health shall be reim-
bursed by the board for any such expenses so incurred.
During the lifetime of the board the functions and respon-
sibilities set forth in article five-f of this chapter shall be
performed by the board, and whenever in this code reference
is made to said article five-f, said reference shall be deemed
to mean reference to the board.

(b) The board shall then compile all other relevant finan-
cial and accounting data in order to have available the statisti-
cal information necessary to properly conduct rate review
and approval. Such data shall include necessary operating
expenses, appropriate expenses incurred for rendering services
to patients who cannot or do not pay, all properly incurred
interest charges, and reasonable depreciation expenses based
on the expected useful life of the property and equipment
involved. The board shall also obtain from each hospital
a current rate schedule as well as any subsequent amendments
or modifications of that schedule as it may require.

(c) Prior to the commencement of review activities, the
board may examine rate-making methods used by other
regulatory agencies in the state and hospital rate-making
agencies in other states before adopting a method or methods
for determining rates for the hospitals subject to this article.

(d) Upon appointment, the board shall enter into negotia-
tions with the health care financing administration within
the United States department of health and human services to
seek approval and assurances from, and enter into agree-
ments with, the United States department of health and human
services so that the aforementioned federal agency and af-
fected state agencies allow reimbursement to hospitals sub-
ject to the provisions of this article in accordance with rates
approved by the board. The absence of such approval and
assurances from, and agreements with, the health care financing
administration within the department of health and human
services shall not diminish the authority of the board to set
rates of payment for other payors.

(e) Within sixty days after the publication in the federal
register of the interim regulations to implement section
3  [Enr. Com. Sub. for H. B. 1615

47  1886(c) of the social security act, the board shall submit
48  its application for purposes of entering into an agreement
49  with the secretary of the department of health and human
50  services so that the aforementioned federal agency agrees
51  to allow payment for services provided by hospitals subject
52  to the provisions of this article in accordance with rates
53  approved by the board.
54  (f) No later than the first day of June, one thousand
55  nine hundred eighty-three, every hospital shall provide to
56  the board a full and complete verified statement of services
57  offered as of the first day of February, one thousand nine
58  hundred eighty-three, together with a verified statement of
59  rates in effect as of the first day of February, one thousand
60  nine hundred eighty-three, for such services.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis  
Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

J. Haskell  
Clerk of the Senate

Donald L. Karp  
Clerk of the House of Delegates

Walter H. McBurn  
President of the Senate

Speaker House of Delegates

The within ______________________ this the ________ day of ________, 1984.

John R. Durrence  
Governor