

2216

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1987



ENROLLED

Com. SUB. FOR

HOUSE BILL No. 2216

(By Delegates Ashley + Flanigan)



Passed March 14, 1987

In Effect July 1, 1987 ~~Passage~~

ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 2216
(By DELEGATES ASHLEY and FLANIGAN)

[Passed March 14, 1987; in effect July 1, 1987.]

AN ACT to amend article five, chapter nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twelve, relating to the medicaid program for maternity and infant care; setting forth legislative intent and requirements in respect thereof; and providing for cooperation and funds transfer between the department of health and department of human services in implementation thereof, together with required specified dollar increase and effective date thereof.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-12. Medicaid program; maternity and infant care.

- 1 (a) The Legislature finds that high rates of infant
- 2 mortality and morbidity are costly to the state in terms
- 3 of human suffering and of expenditures for long-term
- 4 institutionalization, special education and medical care.

5 It is well documented that appropriate care during
6 pregnancy and delivery can prevent many of the
7 expensive, disabling problems our children experience.
8 There exists a crisis in this state relating to the
9 availability of obstetrical services, particularly to
10 patients in rural areas, and to the cost patients must pay
11 for obstetrical services. An increase in payments for
12 total obstetrical care is needed so that providers will be
13 encouraged to perform this vital service for medicaid
14 patients, enabling these patients to receive quality
15 medical care and to give birth to healthier babies and,
16 consequently, improving the health status of the next
17 generation.

18 The Legislature further recognizes that public and
19 private insurance mechanisms remain inadequate, and
20 poor women and children are among the most likely to
21 be without insurance. Generally, low-income, uninsured
22 children receive half as much health care as their
23 insured counterparts. The state is now investing millions
24 to care for sick infants whose deaths and disabilities
25 could have been avoided.

26 It is the intent of the Legislature that the department
27 of human services participate in the medicaid program
28 for indigent children and pregnant women established
29 by Congress under the Consolidated Omnibus Budget
30 Reconciliation Act (COBRA), Public Law 99-272, and
31 the Sixth Omnibus Budget Reconciliation Act (SOBRA),
32 Public Law 99-504.

33 (b) The department of human services shall:

34 (1) Extend the medicaid coverage to pregnant women
35 and infants below the federal poverty level.

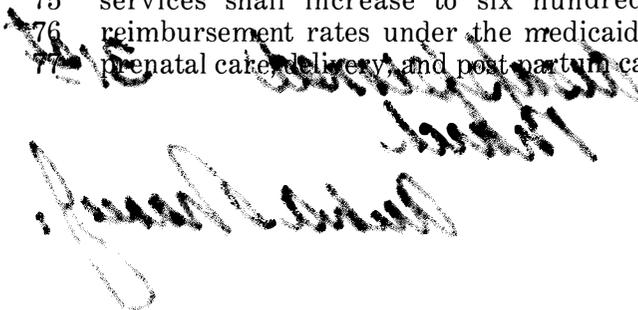
36 (2) As provided under COBRA and SOBRA, infants
37 shall be included under the medicaid coverage, with
38 children under the age of one being eligible no later
39 than July 1, 1987; children under the age of two being
40 eligible on October 1, 1987; children under the age of
41 three being eligible on October 1, 1988; children under
42 the age of four being eligible on October 1, 1989; and
43 children under the age of five being eligible on October
44 1, 1990.

45 (3) Elect the federal options provided under COBRA
46 and SOBRA, impacting pregnant women and children
47 below the poverty level: *Provided, however,* That no
48 provision in this article shall restrict the department of
49 human services in exercising new options provided by
50 or to be in compliance with new federal legislation that
51 further expands eligibility for children and pregnant
52 women.

53 (4) Enter into an interagency agreement with the
54 department of health whereby the department of health
55 is responsible for the implementation and program
56 design for a maternal and infant health care system to
57 reduce infant mortality in West Virginia. The health
58 system design may include quality assurance measures,
59 case management and patient outreach activities. The
60 department of human services shall assume responsibil-
61 ity for claims processing in accordance with established
62 fee schedules, and financial aspects of the program
63 necessary to draw down available federal dollars and to
64 meet federal rules and regulations.

65 (5) The department of health shall transfer to the
66 department of human services through interagency
67 agreement such state funds as are necessary to imple-
68 ment this program to the department of human services
69 medical services account; and the department of human
70 services shall, through inter-program transfer, provide
71 such state funds as are necessary to implement this
72 program.

73 (6) Beginning the first day of July, one thousand nine
74 hundred eighty-seven, the state department of human
75 services shall increase to six hundred dollars the
76 reimbursement rates under the medicaid program for
77 prenatal care, delivery, and post-partum care.



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

Bruce O. Williams
Chairman Senate Committee

Lyle Satter
Chairman House Committee
Member

Originating in the House.

Takes effect July 1, 1987.

Todd C. Walls
Clerk of the Senate

Donald L. Kopp
Clerk of the House of Delegates

Sam Tomlin
President of the Senate

Robert C. Bell
Speaker of the House of Delegates

The within *dispersed* this the *31st*
day of *March*, 1987.

Archa Shroyer
Governor

PRESENTED TO THE

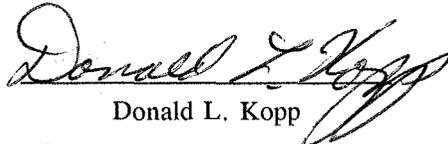
GOVERNOR

Date 3/25/87

Time 4:34 p.m.

TO THE HONORABLE SECRETARY OF STATE:

I, DONALD L. KOPP, Clerk of the House of Delegates, and as such Clerk, Keeper of the Rolls of the Legislature of West Virginia, hereby certify that the foregoing bill, H. B. 2216, disapproved by the Governor on the 31st day of March, 1987, was subsequently repassed by the Legislature, notwithstanding the objections of the Governor, on the 7th day of April, 1987.



Donald L. Kopp

*Clerk of the House of Delegates
and Keeper of the Rolls of the
Legislature.*

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE