WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1987

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ENROLLED

Com. Sub. for

HOUSE BILL No. 2216

(By Delegates Ashley and Flanigan)

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Passed .......... March 14, 1987

In Effect ....... July 1, 1987
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 mortality and morbidity are costly to the state in terms of human suffering and of expenditures for long-term institutionalization, special education and medical care.
It is well documented that appropriate care during pregnancy and delivery can prevent many of the expensive, disabling problems our children experience. There exists a crisis in this state relating to the availability of obstetrical services, particularly to patients in rural areas, and to the cost patients must pay for obstetrical services. An increase in payments for total obstetrical care is needed so that providers will be encouraged to perform this vital service for medicaid patients, enabling these patients to receive quality medical care and to give birth to healthier babies and, consequently, improving the health status of the next generation.

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

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

(b) The department of human services shall:

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

(2) As provided under COBRA and SOBRA, infants shall be included under the medicaid coverage, with children under the age of one being eligible no later than July 1, 1987; children under the age of two being eligible on October 1, 1987; children under the age of three being eligible on October 1, 1988; children under the age of four being eligible on October 1, 1989; and children under the age of five being eligible on October 1, 1990.
(3) Elect the federal options provided under COBRA and SOBRA, impacting pregnant women and children below the poverty level: Provided, however, That no provision in this article shall restrict the department of human services in exercising new options provided by or to be in compliance with new federal legislation that further expands eligibility for children and pregnant women.

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

(5) The department of health shall transfer to the department of human services through interagency agreement such state funds as are necessary to implement this program to the department of human services medical services account; and the department of human services shall, through inter-program transfer, provide such state funds as are necessary to implement this program.

(6) Beginning the first day of July, one thousand nine hundred eighty-seven, the state department of human services shall increase to six hundred dollars the reimbursement rates under the medicaid program for prenatal care, delivery, and post-partum care.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Bruce O. Williams  
Chairman Senate Committee

Lyle Letter  
Chairman House Committee

Originating in the House.


Todd R. Vuille  
Clerk of the Senate

Donnel L. Yopp  
Clerk of the House of Delegates

Dan Tudor  
President of the Senate

Bob C. Hall  
Speaker of the House of Delegates

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

Aarch Shawrj.  
Governor
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.