WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1988

ENROLLED

SENATE BILL NO. 180

(By Senators Moran, Sargent, and Tester)

PASSED March 12, 1988
In Effect July 1, 1988
AN ACT to amend article fourteen, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section nine-b, relating to creating a community care program to be administered by the state commission on aging; providing definitions; specifying services to be offered in said program, and authorizing fee for such services.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 14. STATE COMMISSION ON AGING.

§29-14-9b. Creation of a community care program.

1 (a) As used in this section:
2 (1) "Care management" and "comprehensive assessment" mean the planning, arrangement for and coordination of appropriate community-based, in-home services and alternative living arrangements for the frail elderly, disabled or terminally ill. "Care management" and
“comprehensive assessment” include assessment of needs, counseling in the development of a case plan, arrangement for services and on-going monitoring of the frail elderly, disabled or terminally ill client's situation to ensure that needed services are received.

(2) “Care services” means housekeeping, personal care, chore, escort/transportation, meals, in-home nursing, day care and/or respite services.

(3) “Community care” means a system of community-based, in-home services and alternative living arrangements in order to provide a full range of preventive, maintenance and restorative services for the frail elderly, disabled or terminally ill. This community care program would be part of the continuum of care system of services.

(4) “Continuum of care” means a system of services which has a primary emphasis on in-home care and community service and which includes services such as nursing, medical, transportation and other health and social services available to an individual in an appropriate setting over an extended period of time as a result of such individual’s changing health status.

(5) “Disabled” means a person sixty years old or older who has temporary or permanent impairments which cause him to need or who is likely, in the foreseeable future, to need services within the continuum of care.

(6) “Frail elderly” means any person sixty years of age or older, with limitations which restrict the individual’s ability to perform the normal activities of daily living and which impede individual capacity to live independently.

(7) “Sliding fee scale” means a fee for services provided based on the frail elderly client’s ability to pay. The sliding fee scale shall be established and at least annually reviewed by the state commission on aging.

(b) The state commission on aging shall establish, administer and implement a program for the delivery of community care services for the frail elderly, disabled or terminally ill, based on a sliding fee scale. Such a program shall include, but not be limited to, care management, comprehensive assessment and community and in-home care services.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect July 1, 1988.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is hereby approved this the 24th day of March 1988.

Governor
PRESENTED TO THE
GOVERNOR

Date 3/17/89
Time 3:55 p.m.