

No: 180

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1988




ENROLLED

SENATE BILL NO. 180

(By Senators Manchin, Buckenick & Harper)



PASSED March 12, 1988

In Effect July 1, 1988 



ENROLLED
Senate Bill No. 180

(BY SENATORS MANCHIN, BRACKENRICH AND WARNER)

[Passed March 12, 1988; to take 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
- 3 assessment” mean the planning, arrangement for and
- 4 coordination of appropriate community-based, in-home
- 5 services and alternative living arrangements for the frail
- 6 elderly, disabled or terminally ill. “Care management” and

7 “comprehensive assessment” include assessment of needs,
8 counseling in the development of a case plan, arrangement
9 for services and on-going monitoring of the frail elderly,
10 disabled or terminally ill client’s situation to ensure that
11 needed services are received.

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

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

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

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

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

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

40 (b) The state commission on aging shall establish,
41 administer and implement a program for the delivery of
42 community care services for the frail elderly, disabled or
43 terminally ill, based on a sliding fee scale. Such a program
44 shall include, but not be limited to, care management,
45 comprehensive assessment and community and in-home
46 care services.

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

Sam O. Williams
.....
Chairman Senate Committee

Bernard V. Kelly
.....
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1988.

Gold C. Welles
.....
Clerk of the Senate

Donald S. Voss
.....
Clerk of the House of Delegates

Don Torbert
.....
President of the Senate

Ed Miller
.....
Speaker House of Delegates

The within *appealed* this the *24th*
March
day of 1988.

Arch A. Moore
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/18/88

Time 3:55 p.m.

RECEIVED

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SECRETARY OF STATE