

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990



ENROLLED

HOUSE BILL No. 4128

(By ~~Mr.~~ Del. White)



Passed March 6, 1990

In Effect from Passage

ENROLLED
H. B. 4128

(By DELEGATE WHITE)

[Passed March 6, 1990; in effect from passage.]

AN ACT to amend and reenact sections four and five, article twenty-nine-c, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to changing the termination date of the task force on uncompensated health care and medicaid expenditures.

Be it enacted by the Legislature of West Virginia:

That sections four and five, article twenty-nine-c, 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 29C. INDIGENT CARE.

§16-29C-4. Legislative study; appointment of members; expenses; reports; termination.

1 Not later than the first day of June, one thousand nine
2 hundred eighty-five, the president of the Senate and
3 speaker of the House of Delegates of the West Virginia
4 Legislature shall appoint a legislative task force on
5 uncompensated health care and medicaid expenditures
6 which shall meet, study and make recommendations as
7 herein provided.

8 The task force shall be composed of three members
9 of the Senate appointed by the president from the
10 membership of the Senate standing committee on health

11 and human resources, three members of the House of
12 Delegates appointed by the speaker from the member-
13 ship of the House of Delegates standing committee on
14 health and human resources, and a number of citizens
15 appointed jointly by the president and speaker which,
16 in their discretion, adequately provides for the approp-
17 riate representation of the interests of the providers of
18 health care services, the providers of health care
19 insurance, state departments involved in the administra-
20 tion of health care and health care related programs and
21 the citizens of this state. Of the members of the Senate
22 appointed by the president, not more than two shall be
23 from the same political party. Of the members of the
24 House of Delegates appointed by the speaker, not more
25 than two shall be from the same political party.

26 Members originally appointed to the task force shall
27 serve for terms beginning on the date of appointment
28 and ending on the thirtieth day of June, one thousand
29 nine hundred ninety-three, unless sooner replaced by the
30 president or the speaker as applicable, or, in the
31 discretion of the president and the speaker, unless the
32 work of the task force is completed or the need for the
33 task force no longer exists prior to that date. The task
34 force shall cease to exist on the thirtieth day of June,
35 one thousand nine hundred ninety-three.

36 The task force shall meet on such dates as may be
37 approved by the joint committee on government and
38 finance for the regular meetings of its subcommittees
39 unless approval is first obtained from the joint commit-
40 tee on government and finance for additional meetings.
41 The task force shall conduct studies on the amount of
42 funds expended by hospitals and other health care
43 providers of this state for services to persons who are
44 unable to pay for those services and for which they
45 receive no other form of reimbursement, the extent to
46 which persons in this state forego needed medical
47 services because of insufficient income and assets to pay
48 for those services, the extent to which the state is
49 maximizing available federal programs and moneys in
50 providing health care services to the citizens of this
51 state, the operation of the programs and funds created

52 by this article and the roles of the public, private and
53 private nonprofit sectors in providing health care
54 services to the citizens of this state. The task force shall
55 also study the state medicaid program in order to
56 determine if the state medicaid agency, as the payor of
57 last resort, is expending maximum effort to identify
58 alternate private insurance resources for medicaid
59 beneficiaries and shall study the feasibility and financial
60 impact upon the state of assuring increased access to
61 medicaid beneficiaries to primary health care in the
62 nonhospital setting by requiring enrollment in a
63 primary care clinic program, if available, and of the
64 establishment of different and lesser schedules of
65 payment for primary health services delivered by a
66 hospital emergency room as compared to the schedule
67 of payments for emergency room services of a true
68 medical emergency nature. On or before the first day
69 of January, one thousand nine hundred ninety-one, the
70 task force shall contact, review and study the indigent
71 care program of the health care access committee in the
72 state of Kentucky. The task force shall make such
73 recommendations as it deems appropriate to address the
74 needs identified in the studies.

75 The task force shall file an interim report with the
76 joint committee on government and finance and the
77 Legislature on the date of the last meeting of the joint
78 committee on government and finance prior to com-
79 mencement of the regular session of the Legislature in
80 each year before the final report of the task force is filed
81 with the joint committee on government and finance and
82 the Legislature on or before the thirtieth day of June,
83 one thousand nine hundred ninety-three.

84 The members of the task force shall be entitled to
85 compensation at the rate authorized for members of the
86 Legislature participating in legislative interim meetings
87 and to reimbursement for reasonable and necessary
88 expenses actually incurred in attending meetings of the
89 task force, except that any employee of the state
90 appointed to the task force is not entitled to such
91 compensation. Funds necessary for the work of the task
92 force shall be paid from joint appropriations to the

93 Senate and House of Delegates but no such funds shall
94 be spent or obligations incurred in the conduct of such
95 work without prior approval of the joint committee on
96 government and finance.

§16-29C-5. Effective date and termination date.

1 This article shall be effective from passage, and,
2 notwithstanding the provisions of section four of this
3 article, shall terminate on the thirtieth day of June, one
4 thousand nine hundred ninety-three.

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

Frederick L. Parker
Chairman Senate Committee

Barbara V. Kelly
Chairman House Committee

Originating in the House.

Takes effect from passage.

Harrell E. Palmer
Clerk of the Senate

Donald L. Hooper
Clerk of the House of Delegates

Kelly Burdette
President of the Senate

Robert P. Parker
Speaker of the House of Delegates

The within *is approved* this the *14th*
day of *March*, 1990.

Gaston Caperton
Governor

PRESENTED TO THE
GOVERNOR

Date 3/13/90
Time 2 30 PM

RECEIVED

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OFFICE OF THE ATTORNEY GENERAL
SECRETARY OF STATE

FILED IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 3/19/92