WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990

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ENROLLED

Com. Sub. for
HOUSE BILL No. 4660

(By Delegate White & Hatfield)

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Passed .................................. March 10, 1990

In Effect .................................. July 1, 1990
AN ACT to amend article one, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twenty-one, relating to authorizing the administrator of the division of health to charge for services rendered; creating a special revolving fund for moneys received; allowing the administrator to authorize county or municipal boards of health to charge for services; and directing the administrator to promulgating rules establishing the fees.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 1. STATE DEPARTMENT OF HEALTH.

§16-1-21. Fees for services; health services fund.

1 (a) Notwithstanding any other provisions of this chapter, the administrator of the division of health may assess and charge reasonable fees for the provision of services provided by the division of health: Provided,
That no individual may be denied health care services because of the inability of the individual to pay for services when services are provided to similarly situated individuals who have the ability to pay for them. Payments of fees shall be deposited into a special revolving fund in the state treasury.

(b) Any balance including accrued interest in the special revolving fund at the end of any fiscal year shall not revert to the general revenue fund but shall remain in the special revolving fund for use by the administrator of the division of health for funding health programs in the ensuing fiscal years.

(c) The administrator of the division of health may authorize reasonable fees for the provision of services by county or municipal boards of health as created in article two or article two-a of this chapter: Provided, That no individual may be denied health care services because of the inability of the individual to pay for services when services are provided to similarly situated individuals who have the ability to pay for them. Payments of fees shall be deposited into the local board of health account for use by the local board of health for funding health programs. The fees established will be created on a sliding fee basis determined by an individual's ability to pay: Provided, however, That the board of health may submit a request through the administrator for third party reimbursement where such request is appropriate: Provided further, That boards of health which establish such fees shall annually submit a schedule of fees, a sliding fee scale and an accounting of amounts collected to the administrator of the division of health for approval on an annual basis.

(d) The administrator of the division of health shall promulgate rules in accordance with article three, chapter twenty-nine-a of this code, setting forth the fees established, assessed, charged, authorized, or approved by the administrator.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Frederick L. Brown
Chairman Senate Committee

Bernard V. Kelly
Chairman House Committee

Originating in the House.

Takes effect July 1, 1990.

Donald A. Kopp
Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 26th day of March, 1990.

Governor