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SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1992



ENROLLED

Committee Substitute for
SENATE BILL NO. 332

(By Senator Sullivan, et al)



PASSED March 6, 1992

In Effect 90 days from Passage

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 332

(SENATORS HOLLIDAY, TOMBLIN AND FELTON,
original sponsors)

[Passed March 6, 1992; in effect ninety days from passage.]

AN ACT to amend chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article two-h, relating to the creation of the primary care support program; providing for various funds; setting forth qualifications for receiving funds; defining preventive care services; and creating an advisory board.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2H. PRIMARY CARE SUPPORT PROGRAM.

§16-2H-1. Short title.

1 This article shall be known and may be cited as the
2 "Primary Care Support Program Act".

§16-2H-2. Primary care support program; primary care revolving loan fund; primary care uncompensated care fund; seed money and technical assistance.

1 (a) There is hereby created the “Primary Care
2 Support Program” within the division of health within
3 the department of health and human resources. The
4 program shall provide technical and organizational
5 assistance to community-based primary care services
6 throughout the state.

7 (b) The primary care support program shall create
8 and administer a primary care revolving loan fund to
9 lend money to primary care centers in need of imme-
10 diate financial assistance. In order to qualify for the
11 loans, a primary care center must be a nonprofit
12 corporation, have a community board, provide services
13 to the public regardless of ability to pay (such as on a
14 sliding fee scale basis) and present proof of designation
15 as a federally qualified health center or rural health
16 center, of steps taken to qualify as a federally qualified
17 health center or rural health center or of why status
18 as a federally qualified or rural health center would
19 not result in improved revenues to the center.

20 There is hereby created a special revenue fund in
21 the state treasury to be known as the primary care
22 loan fund in to which all appropriations, payments and
23 interest to the revolving loan fund created herein shall
24 be deposited, to be held and disbursed according to
25 law.

26 (c) The primary care support program shall create
27 and administer a “Primary Care Uncompensated Care
28 Fund”. All revenues contained in the fund shall be
29 distributed to primary care centers in the form of
30 grants designed to offset the primary care centers’
31 costs of providing uncompensated health care services.
32 In order to qualify for the grants, a primary care
33 center must be a nonprofit corporation, have a com-
34 munity board, provide services to the public regardless
35 of ability to pay (such as on a sliding fee scale basis)
36 and present proof of designation as a federally quali-

37 fied health center or rural health center, of steps
38 taken to qualify as a federally qualified health center
39 or rural health center, or of why status as a federally
40 qualified or rural health center would not result in
41 improved revenues to the center.

42 (d) The primary care support program shall provide
43 seed money grants and technical assistance to help
44 nonprofit, community-based organizations create new
45 primary care services for people in their community.
46 Under no circumstances will a specific project be
47 entitled to receive the grants for more than three
48 years. In order to qualify for the grants, applicants
49 must provide the following:

50 (1) A description of an unmet need for certain
51 primary care services in their community;

52 (2) A detailed account, including a budget, of how
53 the applicant's project will use technical and financial
54 assistance from the program and other sources to
55 develop the primary care services within one year that
56 will be available to the public regardless of ability to
57 pay;

58 (3) A detailed account, including a budget, showing
59 how the services will continue to be funded once
60 established and showing how potential federal and
61 charitable funds will be maximized;

62 (4) An account of the extent of community involve-
63 ment and support for the project;

64 (5) A description of how the project will be coordi-
65 nated with local activities of the division of health,
66 regional health advisory councils, the health care
67 planning commission, medical schools, local health
68 departments, primary care clinics or other public
69 health agencies.

70 (e) The director of health shall promulgate rules in
71 accordance with article three, chapter twenty-nine-a,
72 of this code to implement the provisions of this article,
73 and shall approve all loans, grants and disbursements
74 of money authorized by this article.

§16-2H-3. Preventive services and health education.

1 As used in subsection two-d of this article, the term
2 “primary care services” includes preventive services
3 and health education. Ten percent of the seed money
4 grants awarded by the program to local projects under
5 said subsection shall support the development of
6 community-based preventive services and health
7 education, which shall not be required to be self-
8 supporting at the conclusion of the grant period.

§16-2H-4. Advisory board.

1 The division of health shall convene a fifteen-person
2 advisory board consisting of persons familiar with
3 community-based primary care services and public
4 health planning efforts to assist in the implementation
5 of this program.

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

Tomer Leck
.....
Chairman Senate Committee

Ernest E. Moore
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Parrel Adams
.....
Clerk of the Senate

Donald L. Stapp
.....
Clerk of the House of Delegates

Kull Sundt
.....
President of the Senate

W. C. C.
.....
Speaker House of Delegates

The within is approved this the 27th
day of March, 1992.

Winston Copeland
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/20/92

Time 3:30 PM