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WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1998



ENROLLED

House Bill No. 4300

(By Delegates Boggs, Shelton, Osborne, Beach,
C. White, Hall and Harrison)



Passed March 14, 1998

In Effect from Passage

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SENATE OF WEST VIRGINIA

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H. B. 4300

(BY DELEGATES BOGGS, SHELTON, OSBORNE, BEACH,
C. WHITE, HALL AND HARRISON)

[Passed March 14, 1998; in effect from passage.]

AN ACT to amend and reenact section six, article sixteen, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to enabling the rural health advisory panel and vice chancellor of health sciences to assume statewide and inter agency as well as intra agency responsibility for and coordination of primary care physician and other health care provider recruitment and retention efforts; including the creation of a committee on recruitment and retention within the rural health advisory panel contained in section six, article sixteen, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one as amended; to include more representatives from health care providers, consumers and community leaders for purposes of addressing the requirements of this article as amended herein; providing an annual report to the legislative oversight commission on education accountability which shall address the success of such recruitment and retention efforts; recommendations for improvements in all related areas of recruitment and retention efforts, as well as permission to work cooperatively with all agencies involved in the economic development of the state.

Be it enacted by the Legislature of West Virginia:

That section six, article sixteen, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

§18B-16-6. Creation of the West Virginia rural health advisory panel.

1 (a) The West Virginia rural health advisory panel is
2 hereby created and the rural health initiative advisory
3 panel is hereby terminated as of the first day of July, one
4 thousand nine hundred ninety-five. The advisory panel,
5 which shall be appointed by the governor after consulting
6 with the vice chancellor, shall consist of one community
7 representative from each of the consortia of primary
8 health care education sites; five members shall be rural
9 health care providers, two of whom shall be representatives
10 of rural health care facilities selected from such lists as
11 may be submitted by associations interested or involved in
12 the provision of rural health care, two of whom shall be
13 physicians engaged in the private practice of rural
14 medicine, and one of whom shall be an advanced nurse
15 practitioner or a nurse midwife with experience in rural
16 health care delivery; the dean or designee from each of
17 the participating health sciences schools, ex officio; one
18 representative from private colleges; one representative
19 from the state college system; one site coordinator; the
20 commissioner of public health, ex officio; and the director
21 of the office of community and rural health services, ex
22 officio. Except for the ex officio members, members of
23 the panel shall serve for staggered three-year terms:
24 *Provided*, That one third of the initial appointments shall
25 be designated by the governor for one-year terms and one
26 third of the initial appointments shall be designated by the
27 governor for two-year terms.

28 Members of the advisory panel shall be reimbursed
29 for the cost of reasonable and necessary expenses actually
30 incurred in the performance of their duties: *Provided*,
31 That members of the panel who are employed by the state
32 of West Virginia shall not be reimbursed for their
33 expenses under the provisions of this section.

34 (b) The functions and duties of the panel are to
35 recommend policies and procedures to the vice chancellor

36 related to the rural health initiative and to oversee and
37 coordinate implementation of those policies and proced-
38 ures.

39 (c) Pursuant to the provisions of article ten, chapter
40 four of this code, the West Virginia rural health advisory
41 panel shall continue to exist until the first day of July, two
42 thousand one, to allow for the completion of a preliminary
43 performance review by the joint committee on govern-
44 ment operations.

45 (d) The advisory panel has the power and the duty to
46 recommend rural health care facilities to be established as
47 primary health care education sites. Such recommen-
48 dation shall be made to the vice chancellor in accordance
49 with the criteria set forth in section seven of this article.
50 After review of the proposals submitted to the vice
51 chancellor by the schools of medicine pursuant to section
52 eight of this article, the panel's recommendation shall
53 include an estimation of the costs to be allocated per site
54 from available funds in the university of West Virginia
55 health sciences account in the line item designated for
56 rural health initiative site support.

57 (e) The advisory panel shall adopt guidelines
58 regarding the application by rural health care facilities for
59 selection as primary health care education sites and shall
60 approve an application form which provides the panel with
61 sufficient information to consider the criteria set forth in
62 section eight of this article. The guidelines and applica-
63 tion shall be sent by registered mail to each rural health
64 care facility in the state as soon as practicable after the
65 effective date of this section.

66 (f) The advisory panel shall provide an ongoing
67 evaluation of the rural health initiative and shall make the
68 reports required under this article.

69 (g) For purposes of addressing primary care physician
70 and other health care provider recruitment and retention
71 efforts, there is hereby created within the rural health
72 advisory panel a committee on recruitment and retention,
73 which shall include member representatives of health care
74 providers, consumers, members of the advisory panel and

75 the health sciences schools. All member representatives
76 shall be selected by the vice chancellor for health sciences
77 in conjunction with the director of the office of
78 community and rural health. All operational costs of the
79 recruitment and retention committee shall be paid by the
80 rural health advisory panel.

81 (1) The recruitment and retention committee and the
82 vice chancellor of health sciences, in conjunction with the
83 director of the office of community and rural health
84 services, may facilitate statewide and inter agency
85 coordination of the recruitment and retention of primary
86 care physicians and other health care related providers to
87 serve the state of West Virginia.

88 (2) Such responsibility for and coordination of
89 primary care physician recruitment and retention efforts
90 shall include, but are not limited to, working cooperatively
91 with health care agencies and economic development
92 agencies of the state.

93 (3) As part of its duties, the recruitment and retention
94 committee shall provide by the thirty-first day of
95 December, one thousand nine hundred and ninety-eight,
96 and no less than annually thereafter, a report of its
97 findings to the legislative oversight commission on
98 education accountability and the legislative oversight
99 commission on health and human resources
100 accountability. The report shall address the success of the
101 state's primary care physician and other health care
102 related provider recruitment and retention efforts,
103 recommendations for improvements in all related areas of
104 recruitment and retention efforts, recommendations for
105 statutory or regulatory changes, as well as any other
106 matters which the recruitment and retention committee or
107 the rural health advisory panel deems relevant to carrying
108 out the intent of this article.

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

Raf. J. Monroy
Chairman Senate Committee

Mike Fantasia
Chairman House Committee

Originating in the House.

Takes effect from passage.

Barrett E. Khan
Clerk of the Senate

Bugay M. Bay
Clerk of the House of Delegates

Carl Ray Tomblin
President of the Senate

[Signature]
Speaker of the House of Delegates

The within *approved* this the *8th*
day of *April*, 1998.

[Signature]
Governor

PRESENTED TO THE

GOVERNOR

Date 4/6/98

Time 11:50am