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WEST VIRGINIA LEGISLATURE
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WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2000



ENROLLED

House Bill No. 4156

(By Delegates Douglas, Butcher,
Caputo, Prunty, Willison, Varner and Mattaliano)



Passed February 22, 2000

In Effect Ninety Days from Passage

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H. B. 4156

(BY DELEGATES DOUGLAS, BUTCHER,
CAPUTO, PRUNTY, WILLISON, VARNER AND MATTALIANO)

[Passed February 22, 2000; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article four, chapter nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to continuing the medical services advisory council.

Be it enacted by the Legislature of West Virginia:

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

**ARTICLE 4. STATE ADVISORY BOARD; MEDICAL SERVICES FUND;
ADVISORY COUNCIL; GENERAL RELIEF FUND.**

§9-4-3. Advisory council.

1 The advisory council, created by chapter one hundred forty-
2 three, acts of the Legislature, regular session, one thousand nine
3 hundred fifty-three, as an advisory body to the state medicaid
4 agency with respect to the medical services fund and disburse-
5 ments therefrom and to advise about health and medical

6 services, is continued so long as the medical services fund
7 remains in existence, and thereafter so long as the state
8 medicaid agency considers the advisory council to be necessary
9 or desirable, and it is organized as provided by this section and
10 applicable federal law and has those advisory powers and duties
11 as are granted and imposed by this section and elsewhere by
12 law: *Provided*, That the continuation of the advisory council is
13 subject to a preliminary performance review pursuant to the
14 provisions of article ten, chapter four of this code, evaluating
15 the effectiveness and efficiency of the advisory council, to be
16 conducted during the interim of the Legislature in the year two
17 thousand six by the joint committee on government operations.

18 The term of office of those members serving on the
19 advisory council, on the effective date of the amendments made
20 to this section by the Legislature during its regular session in
21 the year one thousand nine hundred ninety-eight, shall continue
22 until they are reappointed or replaced in accordance with the
23 provisions of this section.

24 The advisory council shall consist of not less than nine
25 members, nor more than thirteen members, all but two of whom
26 shall be appointed by the state medicaid agency and serve until
27 replaced or reappointed on a rotating basis. The heads of the
28 public health and public welfare agencies are members *ex*
29 *officio*. The remaining members comprising the council consist
30 of a person of recognized ability in the field of medicine and
31 surgery with respect to whose appointment the state medical
32 association shall be afforded the opportunity of making
33 nomination of three qualified persons, one member shall be a
34 person of recognized ability in the field of dentistry with
35 respect to whose appointment the state dental association shall
36 be afforded the opportunity of nominating three qualified
37 persons, and the remaining members shall be chosen from
38 persons of recognized ability in the fields of hospital adminis-
39 tration, nursing and allied professions and from consumers

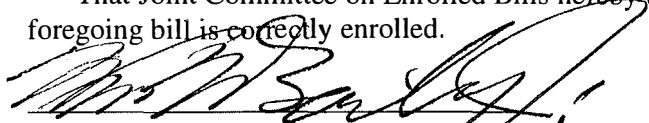
40 groups, including medicaid recipients, members of the West
41 Virginia directors of senior and community services, labor
42 unions, cooperatives and consumer-sponsored prepaid group
43 practices plans.

44 The council shall meet on call of the state medicaid agency.

45 Each member of the advisory council shall receive reim-
46 bursement for reasonable and necessary travel expenses for
47 each day actually served in attendance at meetings of the
48 council in accordance with the state's travel regulations.
49 Requisitions for the expenses shall be accompanied by an
50 itemized statement, which shall be filed with the auditor and
51 preserved as a public record.

52 The advisory council shall assist the state medicaid agency
53 in the establishment of rules, standards and bylaws necessary to
54 carry out the provisions of this section and shall serve as
55 consultants to the state medicaid agency in carrying out the
56 provisions of this section.

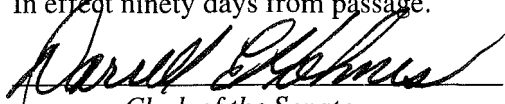
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



Chairman Senate Committee



Chairman House Committee

Originating in the House.

In effect ninety days from passage.

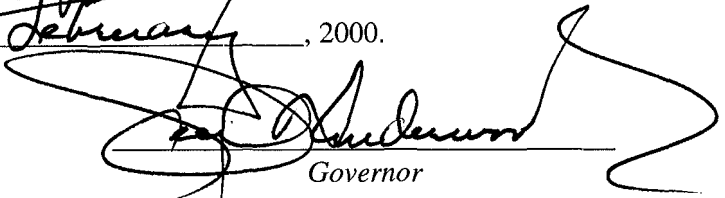

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within approved this the 29th
day of February, 2000.


Governor

PRESENTED TO THE

GOVERNOR

Date 2/28/00

Time 2:45pm