WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2004

ENROLLED

House Bill No. 4304

(By Delegates Beane, Ennis, Hatfield, Yeager, Blair, Frich and Schoen)

Passed March 11, 2004

In Effect Ninety Days from Passage
AN ACT to amend the code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16B-4a; and to amend and reenact §5-16B-8 of said code, all relating to continuation of the children’s health insurance board.

Be it enacted by the Legislature of West Virginia:

That the code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §5-16B-4a; and that §5-16B-8 of said code be amended and reenacted, all to read as follows:

ARTICLE 16B. WEST VIRGINIA CHILDREN’S HEALTH INSURANCE PROGRAM.

§5-16B-4a. Continuation of children’s health insurance board.

1 The children’s health insurance board shall continue to exist, pursuant to the provisions of article ten, chapter four of this code, until the first day of July, two thousand seven, unless
sooner terminated, continued or reestablished pursuant to the provisions of that article.

§5-16B-8. Termination and reauthorization.

(a) The program established in this article abrogates and shall be of no further force and effect, without further action by the Legislature, upon the occurrence of any of the following:

1. The date of entry of a final judgment or order by a court of competent jurisdiction which disallows the program;

2. The effective date of any reduction in annual federal funding levels below the amounts allocated and/or projected in Title XXI of the Social Security Act of 1997; or

3. The effective date of any federal rule or regulation negating the purposes or effect of this article.

4. For purposes of subdivisions (2) and (3) of this subsection, if a later effective date for such reduction or negation is specified, such date will control.

(b) Upon termination of the board and notwithstanding any provisions to the contrary, the director may change the levels of costs to covered families only in accordance with rules proposed to the Legislature pursuant to the provisions of chapter twenty-nine-a of this code.
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

Speaker of the House of Delegates

The within is approved this the 14th
day of April, 2004.

Governor