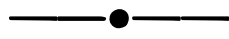


HB 4373

2010 APR -1 PM 4:27

CLERK OF THE HOUSE
S. CHAMBERLAIN OF STATE

WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2010



ENROLLED

House Bill No. 4373

(By Delegates Cann, Eldridge, Guthrie,
Hatfield, Lawrence, Mahan, Manypenny,
Michael, C. Miller, Perdue and Phillips)



Passed March 12, 2010

In Effect Ninety Days From Passage

ENROLLED

H. B. 4373

2010 APR -1 PM 4: 27

SECRETARY OF STATE

(BY DELEGATES CANN, ELDRIDGE, GUTHRIE,
HATFIELD, LAWRENCE, MAHAN, MANYPENNY,
MICHAEL, C. MILLER, PERDUE AND PHILLIPS)

[Passed March 12, 2010; in effect ninety days from passage.]

AN ACT to amend and reenact §5-16B-6d of the Code of West Virginia, 1931, as amended, regarding the eligibility of uninsured children to receive insurance under the Children's Health Insurance Program; eliminating the period of potential ineligibility of an uninsured child to receive insurance under the Children's Health Insurance Program if they were previously insured by an employer sponsored insurance plan.

Be it enacted by the Legislature of West Virginia:

That §5-16B-6d of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

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

§5-16B-6d. Modified benefit plan implementation.

- 1 (a) Upon approval by the Centers for Medicare and
- 2 Medicaid Services, the board shall implement a benefit plan for
- 3 uninsured children of families with income between two
- 4 hundred and three hundred percent of the federal poverty level.

5 (b) The benefit plans offered pursuant to this section shall
6 include services determined to be appropriate for children,
7 but may vary from those currently offered by the board.

8 (c) The board shall structure the benefit plans for this
9 expansion to include premiums, coinsurance or copays and
10 deductibles. The board shall develop the cost sharing features
11 in such a manner as to keep the program fiscally stable
12 without creating a barrier to enrollment. Such features may
13 include different cost-sharing features within this group
14 based upon the percentage of the federal poverty level.

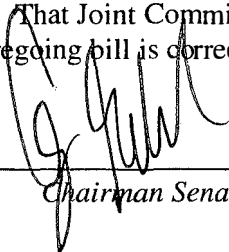
15 (d) Provider reimbursement schedules shall be no lower
16 than the reimbursement provided for the same services under
17 the plans offered in article sixteen of this chapter.

18 (e) All provisions of this article are applicable to this
19 expansion unless expressly addressed in this section.

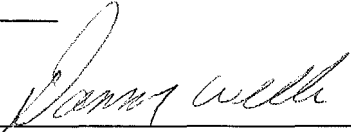
20 (f) Nothing in this section may be construed to require
21 any appropriation of State General Revenue Funds for the
22 payment of any benefit provided pursuant to this section,
23 except for the state appropriation used to match the federal
24 financial participation funds. In the event that federal funds
25 are no longer authorized for participation by individuals
26 eligible at income levels above two hundred percent, the
27 board shall take immediate steps to terminate the expansion
28 provided for in this section and notify all enrollees of such
29 termination. In the event federal appropriations decrease for
30 the programs created pursuant to Title XXI of the Social
31 Security Act of 1997, the board is directed to make those
32 decreases in this expansion program before making changes
33 to the programs created for those children whose family
34 income is less than two hundred percent of the federal
35 poverty level.

36 (g) The board is directed to report no less than quarterly
37 to the Legislative Oversight Commission on Health and
38 Human Resources Accountability on the development,
39 implementation and progress of the expansion authorized in
40 this section.

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



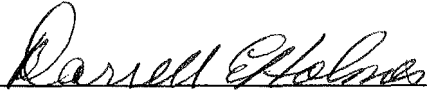
Chairman Senate Committee



Chairman House Committee

Originating in the House.

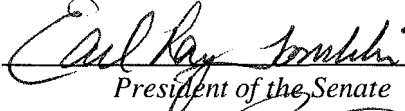
In effect ninety days from passage.



Clerk of the Senate



Clerk of the House of Delegates



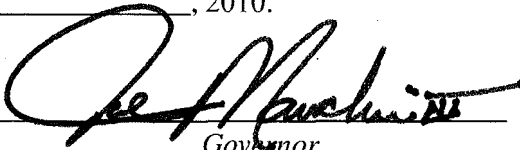
President of the Senate



Speaker of the House of Delegates

2010 APR -1 PM 4:27
COMMISSIONER OF STATE

The within is approved this the 18th
day of April, 2010.



Governor

PRESENTED TO THE
GOVERNOR

MAR 25 2010

Time 10:00am