

HB 3021

FILED

2011 MAR 30 PM 3:21

OFFICE OF THE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2011



ENROLLED

COMMITTEE SUBSTITUTE
FOR

House Bill No. 3021

(By Delegates Hatfield, Fleischauer, Perdue, Brown,
C. Miller, Hall, Marshall, D. Campbell, Butcher,
Morgan and Border)



Passed March 12, 2011

In Effect Ninety Days From Passage

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OFFICE OF THE CLERK
SECRETARY OF STATE

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COMMITTEE SUBSTITUTE

FOR

H. B. 3021

(BY DELEGATES HATFIELD, FLEISCHAUER, PERDUE, BROWN,
C. MILLER, HALL, MARSHALL, D. CAMPBELL, BUTCHER,
MORGAN AND BORDER)

[Passed March 12, 2011; in effect ninety days from passage.]

AN ACT to amend and reenact §16-42-3, §16-42-5 and §16-42-7 of the Code of West Virginia, 1931, as amended, all relating to the Comprehensive Behavioral Health Commission; adding two members to the Commission; designating non-voting members; requiring a chairperson be selected by the appointed commission members; prohibiting a chairperson from serving more than two consecutive years; changing the membership of the advisory board; authorizing commission and advisory board members to continue to serve; requiring yearly reports to the Governor and Legislature; and extending the commission three years.

Be it enacted by the Legislature of West Virginia:

That §16-42-3, §16-42-5 and §16-42-7 of the Code of West Virginia, 1931, as amended, be amended and reenacted, all to read as follows:

ARTICLE 42. COMPREHENSIVE BEHAVIORAL HEALTH COMMISSION.

§16-42-3. Comprehensive Behavioral Health Commission.

1 (a) Effective July 1, 2011, the Comprehensive Behavioral
2 Health Commission is reestablished to continue the study of
3 the current behavioral health system of care, including
4 services to adults and children, substance abuse and domestic
5 violence when those conditions have an effect upon or are
6 impacted by the system.

7 (b) The commission consists of:

8 (1) A representative of the circuit and family court
9 system, appointed by the Chief Justice of the West Virginia
10 Supreme Court of Appeals;

11 (2) A representative of the Commissioner of the Division
12 of Corrections;

13 (3) The Commissioner of the Bureau of Senior Services
14 or a designee;

15 (4) The Secretary of the Department of Health and
16 Human Resources or a designee, who is a nonvoting member;

17 (5) The Commissioner of the Bureau for Behavioral
18 Health and Health Facilities or a designee, who is a
19 nonvoting member;

20 (6) The Commissioner of the Bureau for Children and
21 Families or a designee, who is a nonvoting member;

22 (7) The Executive Director of the West Virginia Chapter
23 of the National Alliance on Mental Illness or a designee;

24 (8) The Chancellor for Higher Education or a designee,
25 who is a nonvoting member;

26 (9) One physician with a specialty in psychiatry
27 appointed by the Governor from a list provided by the West
28 Virginia Medical Association;

29 (10) One physician with a specialty in child psychiatry,
30 appointed by the Governor from a list of names provided by
31 the West Virginia Medical Association;

32 (11) One member of the Advisory Board, selected by the
33 Advisory Board, who shall serve as the vice chairperson of
34 the Commission;

35 (12) One member of the House of Delegates, who is a
36 nonvoting member, appointed by the Speaker; and

37 (13) One member of the Senate, who is a nonvoting
38 member, appointed by the President.

39 (c) The commission shall meet at times and places as it
40 finds necessary and shall be staffed by the Bureau for
41 Behavioral Health and Health Facilities.

42 (d) The commission shall elect a chairperson from those
43 who are appointed. The chairperson's term shall be no
44 longer than two consecutive years whereupon the chairperson
45 is to be replaced by a vote of the membership.

46 (e) Effective July 1, 2011, the Comprehensive Behavioral
47 Health Commission Advisory Board is reestablished to serve
48 in a consulting role to the Commission with the following
49 members appointed by the Governor:

50 (1) One member from a list provided by the West
51 Virginia Chapter of the National Association of Social
52 Workers;

53 (2) One member from a list provided by the West
54 Virginia Hospital Association;

55 (3) One member who is a psychologist from a list
56 provided by the West Virginia Psychological Association;

57 (4) One citizen member from a list of two nominees from
58 each medical school;

59 (5) One member who is an executive director of a
60 federally qualified health center in West Virginia;

61 (6) One member who is the chief executive officer of a
62 comprehensive behavioral health center;

63 (7) Two members who are the chairperson or the chief
64 executive officer of a not-for-profit corporation with its
65 principal headquarters in West Virginia, that provides
66 residential or non-residential care or treatment for children;
67 and

68 (8) One member from a list provided by the Council of
69 Churches.

70 (f) Those persons serving on the commission and the
71 advisory board on July 1, 2011, may continue serving on the
72 reestablished commission and advisory board and the person

73 so designated as chairperson of the commission shall remain
74 as chairperson until an election occurs as provided in this
75 section.

76 (g) Each member of the commission and advisory board
77 is entitled to receive compensation and expense
78 reimbursement for attending official meetings or engaging in
79 official duties not to exceed the amount paid to members of
80 the Legislature for their interim duties as recommended by
81 the Citizens Legislative Compensation Commission and
82 authorized by law. A commission member may not receive
83 compensation for travel days that are not on the same day as
84 the official meeting or official duties.

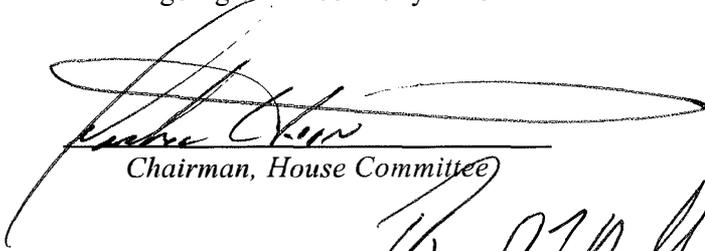
§16-42-5. Report.

1 The commission shall submit a report on its study,
2 including recommendations, to the Governor and the
3 Legislature by January 1, 2012, and each January 1
4 thereafter.

§16-42-7. Termination of commission.

1 The commission and advisory board terminate on June
2 30, 2014.

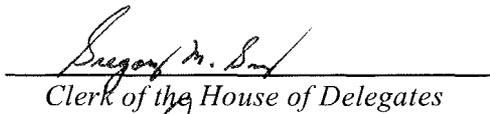
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

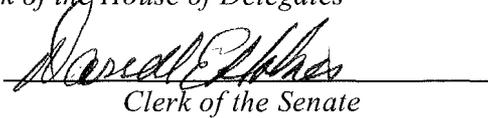

Chairman, House Committee

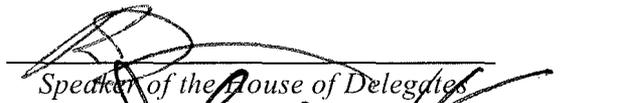

Chairman, Senate Committee

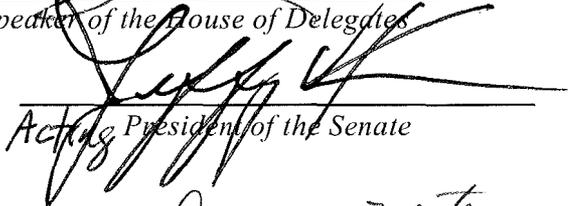
Originating in the House.

To take effect ninety days from passage.


Clerk of the House of Delegates


Clerk of the Senate


Speaker of the House of Delegates


Acting President of the Senate

The within warrant this the 30th
day of Mar, 2011.


Governor

2011 MAR 30 PM 3:21
SECRETARY OF STATE
KENTUCKY

PRESENTED TO THE GOVERNOR

MAR 28 2011

Time 3:33 pm