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
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.


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

(b) The commission consists of:

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

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

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

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

(5) The Commissioner of the Bureau for Behavioral Health and Health Facilities or a designee, who is a nonvoting member;
(6) The Commissioner of the Bureau for Children and Families or a designee, who is a nonvoting member;

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

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

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

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

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

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

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

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

(d) The commission shall elect a chairperson from those who are appointed. The chairperson’s term shall be no longer than two consecutive years whereupon the chairperson is to be replaced by a vote of the membership.
(e) Effective July 1, 2011, the Comprehensive Behavioral Health Commission Advisory Board is reestablished to serve in a consulting role to the Commission with the following members appointed by the Governor:

1. One member from a list provided by the West Virginia Chapter of the National Association of Social Workers;
2. One member from a list provided by the West Virginia Hospital Association;
3. One member who is a psychologist from a list provided by the West Virginia Psychological Association;
4. One citizen member from a list of two nominees from each medical school;
5. One member who is an executive director of a federally qualified health center in West Virginia;
6. One member who is the chief executive officer of a comprehensive behavioral health center;
7. Two members who are the chairperson or the chief executive officer of a not-for-profit corporation with its principal headquarters in West Virginia, that provides residential or non-residential care or treatment for children; and
8. One member from a list provided by the Council of Churches.

(f) Those persons serving on the commission and the advisory board on July 1, 2011, may continue serving on the reestablished commission and advisory board and the person
so designated as chairperson of the commission shall remain as chairperson until an election occurs as provided in this section.

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


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


The commission and advisory board terminate on June 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 is approved this the 30th day of January, 2011.

Governor
PRESENTED TO THE GOVERNOR

MAR 28 2011

Time 3:33 pm