ENROLLED

House Bill No. 4481

(By Delegates Hatfield, Hall, Moore, Morgan, L. Phillips, D. Campbell and Butcher)

Passed March 6, 2012

To Take Effect Ninety Days from Passage
AN ACT to repeal §16-42-7 of the Code of West Virginia, 1931, as amended; and to amend and reenact §16-42-3 of said code, relating to the Comprehensive Behavioral Health Commission; increasing the membership of the Commission and the membership of the Advisory Board to the Commission; reestablishing the Advisory Board; and repealing the termination date of the commission.

Be it enacted by the Legislature of West Virginia:

That §16-42-7 of the Code of West Virginia, 1931, as amended, be repealed; and that §16-42-3 of said code be amended and reenacted, all to read as follows: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 Chancellor for Higher Education or a designee, who is a nonvoting member;

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

(9) One physician with a specialty in child psychiatry, appointed by the Governor from a list of names provided by the West Virginia Medical Association;
(10) One member of the advisory board, selected by the advisory board, who shall serve as the vice chairperson of the commission;

(11) The director of the Division of Rehabilitative Services or his or her designee;

(12) The executive director of a behavioral health consumer’s organization or his or her designee;

(13) The director of the West Virginia Coalition Against Domestic Violence or his or her designee;

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

(15) 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) The commission shall add or delete additional members of the advisory board at the time when it is apparent that certain expertise is needed and the members of the commission so decide.

(f) Effective July 1, 2012, 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 of three candidates provided by the West Virginia Chapter of the National Association of Social Workers;

(2) One member from a list of three candidates provided by the West Virginia Hospital Association;

(3) One member who is a psychologist from a list of three candidates provided by the West Virginia Psychological Association;

(4) One representative from each medical school affiliated with some aspect of behavioral health from a list of three candidates provided by the Dean of West Virginia University School of Medicine, the Dean of Marshall University School of Medicine and the Dean of the West Virginia School of Osteopathic Medicine;

(5) The executive director of the Primary Care Association or his or her designee;

(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, that provides residential or nonresidential care or treatment for children in West Virginia;

(8) One member from a list of three candidates provided by the Council of Churches;
(9) A consumer of behavioral health services to be selected by the commission;

(10) A child advocate to be selected by the commission from suggestions by FAST (Family Advocacy, Support and Training);

(11) A representative of the West Virginia Coalition Against Domestic Violence to be selected by the commission; and

(12) One representative of the county probation program from a list of three candidates provided to the Governor by the Supreme Court of Appeals.

(g) 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.

(h) 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 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

President of the Senate

The within ____________________________ this the _______ day of ____________, 2012.

Governor
PRESENTED TO THE GOVERNOR

MAR 10 2012

Time 9:24 am