WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Enrolled
Committee Substitute
for
Senate Bill 288

SENATOR TARR, original sponsor

[Passed March 7, 2020; in effect 90 days from passage]
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Committee Substitute

for

Senate Bill 288

SENATOR TARR, original sponsor

[Passed March 7, 2020; in effect 90 days from passage]
AN ACT to amend and reenact §16-2B-1 of the Code of West Virginia, 1931, as amended, relating
to family planning; extending family planning resources provided by Bureau for Public
Health to other entities; providing that Bureau for Medical Services shall not require
multiple office visits for women who select long-acting reversible contraceptive methods
unless medically necessary; requiring Bureau for Medical Services to provide payments;
requiring Bureau for Medical Services to update managed care contract; authorizing
Bureau for Public Health to make long-acting reversible contraceptive products available
in practitioner offices without upfront practitioner costs; requiring Bureau for Public Health
to develop statewide plan; providing requirements for plan; and requiring an annual report
by Department of Health and Human Resources.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2B. FAMILY PLANNING AND CHILD SPACING.

§16-2B-1. Family planning and child spacing; authorized functions; funds.

(a) The Bureau for Public Health may provide printed material, guidance, advice, financial
assistance, appliances, devices, drugs, approved methods, and medicines to local boards of
health and other entities requesting the same for use in the operation of family planning and child
spacing clinics to the extent of funds appropriated by the Legislature and any federal funds made
available for such purpose.

(b) The Bureau for Medical Services shall not require multiple office visits or prior
authorization for a woman who selects long-acting reversible contraceptive (LARC) methods
unless medically necessary. The bureau shall provide payment for LARC devices and their
insertion, maintenance, removal, and replacement. The Bureau for Medical Services shall update
the managed care contract to include language that the contracted managed care company may
not present barriers that delay or prevent access, such as prior authorizations or step-therapy
failure requirements; and should receive patient-centered education and counseling on all FDA-
approved birth control methods.
(c) The Bureau for Public Health may make LARC products available in practitioner offices without upfront practitioner costs.

(d) The Bureau for Public Health shall develop a statewide plan with the goal of reducing exposure of a fetus to illicit substances by increasing the number of clients served and enabling access to LARC and other family planning methods. The plan shall include strategies for increasing LARC accessibility and training of health care providers, and shall provide a fiscal analysis of plan implementation and potential impact.

(e) The Department of Health and Human Resources shall report annually to the Legislative Oversight Commission on Health and Human Resources Accountability. The report shall include, at a minimum, the number of LARC treatments provided and the number of children born with intrauterine substance exposure and neonatal abstinence syndrome in West Virginia during the past three years.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Mark Ellias
Chairman, Senate Committee

Joe Leach
Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

Joe Morris
Clerk of the Senate

Steve Honor
Clerk of the House of Delegates

Nathan E. Corrigan
President of the Senate

Dinos Houlihan
Speaker of the House of Delegates

The within is approved this the 25th Day of March, 2020.

James R. Ewell
Governor
PRESENTED TO THE GOVERNOR

MAR 18 2020

Time  3:15 p.m.