

WEST VIRGINIA LEGISLATURE

2024 FIRST EXTRAORDINARY SESSION

Enrolled

Senate Bill 1001

BY SENATORS BLAIR (MR. PRESIDENT) AND WOELFEL

(BY REQUEST OF THE EXECUTIVE)

[Passed May 21, 2024; in effect from passage]

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

2024 MAY 24 P 2: 19

FILED

SB1001

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1 AN ACT supplementing and amending the appropriations of public moneys out of the Treasury
2 from the balance of moneys remaining as an unappropriated balance in the State Fund,
3 General Revenue, to the Department of Health, Department of Health – Central Office,
4 fund 0407, fiscal year 2025, organization 0506, Office of the Inspector General, fund 0437,
5 fiscal year 2025, organization 0513, Department of Health, Consolidated Medical Services
6 Fund, fund 0525, fiscal year 2025, organization 0506, Department of Human Services,
7 Division of Human Services, fund 0403, fiscal year 2025, organization 0511, by
8 supplementing and amending the appropriations for the fiscal year ending June 30, 2025,
9 by adding new items of appropriation.

1 WHEREAS, The Governor submitted the Executive Budget Document to the Legislature
2 on January 10, 2024, containing a statement of the State Fund, General Revenue, setting forth
3 therein the cash balance as of July 1, 2023, and further included the estimate of revenue for the
4 fiscal year 2025, less net appropriation balances forwarded and regular appropriations for the
5 fiscal year 2025;

6 WHEREAS, The Governor submitted to the Legislature an Executive Message dated May
7 19, 2024, and included a Statement of the State Fund, General Revenue, for the fiscal year 2025;
8 and

9 WHEREAS, It appears from the Statement of the State Fund, General Revenue, there
10 remains an unappropriated balance in the State Treasury which is available for appropriation
11 during the fiscal year ending June 30, 2025; therefore

Be it enacted by the Legislature of West Virginia:

1 That Chapter 11, Acts of the Legislature, Regular Session, 2024, known as the budget
2 bill, fund 0407, fiscal year 2025, organization 0506, be supplemented and amended to read as
3 follows:

4 **TITLE II – APPROPRIATIONS.**

5 **Section 1. Appropriations from general revenue.**

DEPARTMENT OF HEALTH

57 - Department of Health –

Central Office

(W.V. Code Chapter 16)

Fund 0407 FY 2025 Org 0506

	Appro-		General
	priation		Revenue
			Fund
1 Personal Services and Employee Benefits.....	00100	\$	3,362,243
2 Salary and Benefits of Cabinet Secretary			
3 and Agency Heads	00201		358,400
4 Unclassified	09900		6,459
5 Current Expenses	13000		225,201
6 Capital Outlay and Maintenance (R)	75500		70,000
7 BRIM Premium.....	91300		169,791
8 Department of Health Reserve.....	XXXXX		<u>5,013,844</u>
9 Total		\$	9,205,938

10 Any unexpended balances remaining in the appropriations for Capital Outlay and
 11 Maintenance (fund 0407, appropriation 75500), Emergency Response Entities – Special Projects
 12 (fund 0407, appropriation 82200), Tobacco Education Program (fund 0407, appropriation 90600),
 13 and Pregnancy Centers – Surplus (fund 0407, appropriation 49999) at the close of the fiscal year
 14 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

15 Any unexpended balances remaining in the appropriation Chief Medical Examiner (fund
 16 0407, appropriation 04500) at the close of fiscal year 2024 shall be transferred to Chief Medical
 17 Examiner appropriation (fund 0432, appropriation 04500).

18 Any unexpended balances remaining in the appropriation Safe Drinking Water Program
19 (fund 0407, appropriation 18700) at the close of fiscal year 2024 shall be transferred to
20 Environmental Health Services appropriation (fund 0417, appropriation 30002).

21 Any unexpected balances remaining in the appropriation Statewide EMS Program
22 Support (fund 0407, appropriation 38300) at the close of fiscal year 2024 shall be transferred to
23 Statewide EMS Program Support appropriation (fund 0434, appropriation 38300).

24 Any unexpended balances remaining in the appropriation Office of Medical Cannabis
25 (fund 0407, appropriation 42001) at the close of fiscal year 2024 shall be transferred to Office of
26 Medical Cannabis appropriation (fund 0427, appropriation 42001).

27 Any unexpended balances remaining in the appropriation Office of Medical Cannabis –
28 Surplus (fund 0407, appropriation 42099) at the close of fiscal year 2024 shall be transferred to
29 Office of Medical Cannabis – Surplus appropriation (fund 0427, appropriation 42099).

30 Any unexpended balances remaining in the appropriation Vaccine for Children (fund 0407,
31 appropriation 55100) at the close of fiscal year 2024 shall be transferred to Vaccine for Children
32 appropriation (fund 0418, appropriation 55100).

33 Any unexpended balances remaining in the appropriation Maternal and Child Health
34 Clinics, Clinicians and Medical Contracts and Fees (fund 0407, appropriation 57500) at the close
35 of fiscal year 2024 shall be transferred to the Maternal and Child Health Clinics, Clinicians and
36 Medical Contracts and Fees appropriation (fund 0405, appropriation 57500).

37 Any unexpended balances remaining in the appropriations Office of Drug Control Policy
38 (fund 0407, appropriation 35401) at the close of fiscal year 2024 shall be transferred to Office of
39 Drug Control Policy (fund 0403, appropriation 35401).

40 Any unexpended balances remaining in the appropriations Office of Drug Control Policy –
41 Surplus (fund 0407, appropriation 35402) at the close of fiscal year 2024 shall be transferred to
42 Office of Drug Control Policy – Surplus (fund 0403, appropriation 35402).

43 Notwithstanding the provisions of Title I, section three of this bill, the Secretary of the
44 Department of Health shall have the authority to transfer funds within the above appropriations:
45 *Provided*, That no more than five percent of the funds appropriated to one appropriation may be
46 transferred to other appropriations: *Provided, however*, That no funds from other appropriations
47 shall be transferred to the Personal Services and Employee Benefits appropriation: *Provided*,
48 *further, notwithstanding the above*, That for Fiscal Year 2025 the Secretary of the Department of
49 Health shall have additional authority to transfer appropriations between Personal Services and
50 Employee Benefits and other dedicated appropriations within the respective departments to
51 effectuate the 5 percent average salary increases granted during the 2024 regular legislative
52 session: *Provided, further, notwithstanding the above*, That for Fiscal Year 2025 the Secretary of
53 Health shall have the authority to make transfers from the Department of Health Reserve (fund
54 0407, appropriation XXXXX) appropriation to any general revenue funds under the department.
55 The Secretary shall submit a monthly report to the Joint Committee on Government and Finance
56 beginning on August 1, 2024, on transfers made from the Department of Health Reserve
57 appropriation. The report shall provide an individual accounting on each transfer of funds out of
58 the Department of Health Reserve appropriation, including the fund and appropriation to which
59 the transfer was made and a detailed explanation of the need for the transfer. At the request of
60 the co-chairs, the report shall be presented in person to the Joint Committee on Government and
61 Finance.

62 Any unexpended balance remaining in the appropriation Department of Health Reserve
63 (fund 0407, appropriation XXXXX) as of March 31, 2025, shall revert to the unappropriated
64 surplus balance of General Revenue.

65 And, That Chapter 11, Acts of the Legislature, Regular Session, 2024, known as the
66 budget bill, fund 0437, fiscal year 2025, organization 0513, be supplemented and amended to
67 read as follows:

68

TITLE II – APPROPRIATIONS.

69

Section 1. Appropriations from general revenue.

DEPARTMENT OF HEALTH

78 - Office of the Inspector General

(W.V. Code Chapter 16B)

Fund 0437 FY 2025 Org 0513

		General
	Appro-	Revenue
	priation	Fund
1 Personal Services and Employee Benefits.....	00100	\$ 5,583,690
2 Unclassified	09900	57,469
3 Current Expenses	13000	<u>1,583,603</u>
4 Total.....		\$ 7,224,762

5 From the above appropriation for Current Expenses (fund 0437, appropriation 13000),
 6 \$73,065 shall be used for informal dispute resolution relating to nursing home administrative
 7 appeals and \$650,000 shall be transferred to OIG fund 5209.

8 And, That Chapter 11, Acts of the Legislature, Regular Session, 2024, known as the
 9 budget bill, to fund 0525, fiscal year 2025, organization 0506, be supplemented and amended to
 10 add a new item of appropriation:

11

TITLE II – APPROPRIATIONS.

12

Section 1. Appropriations from general revenue.

DEPARTMENT OF HEALTH

79A - Consolidated Medical Services Fund

(W.V. Code Chapter 16)

Fund 0525 FY 2025 Org 0506

1 Any unexpended balances remaining in the appropriations for Behavioral Health Program
 2 – Surplus (fund 0525, appropriation 63100) at the close of the fiscal year 2024 are hereby
 3 reappropriated for expenditure during the fiscal year 2025.

4 And, That Chapter 11, Acts of the Legislature, Regular Session, 2024, known as the
 5 budget bill, fund 0403, fiscal year 2025, organization 0511, be supplemented and amended to
 6 read as follows:

7 **TITLE II – APPROPRIATIONS.**

8 **Section 1. Appropriations from general revenue.**

DEPARTMENT OF HUMAN SERVICES

80 - Division of Human Services

(W.V. Code Chapters 9, 48, and 49)

Fund 0403 FY 2025 Org 0511

	Appro-	General
	priation	Revenue
		Fund
1 Personal Services and Employee Benefits	00100	\$ 32,554,845
2 Salary and Benefits of Cabinet Secretary and		
3 Agency Heads	00201	159,250
4 Unclassified	09900	5,120,050
5 Current Expenses	13000	5,557,409
6 Child Care Development	14400	3,138,536
7 Jobs & Hope	14902	2,357,000
8 Social Services	19500	46,136
9 Behavioral Health Program (R)	21900	66,864,419

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10	Family Resource Networks	27400	1,762,464
11	Substance Abuse Continuum of Care (R)	35400	1,656,000
12	Office of Drug Control Policy (R)	35401	567,875
13	James "Tiger" Morton Catastrophic Illness Fund.....	45500	373,424
14	In-Home Family Education	68800	1,000,000
15	WV Works Separate State Program.....	69800	1,381,500
16	Child Support Enforcement	70500	6,227,186
17	Temporary Assistance for Needy Families/ Maintenance of Effort	70700	23,237,186
19	Child Care – Maintenance of Effort Match.....	70800	5,693,743
20	Capital Outlay and Maintenance (R)	75500	11,875
21	Medical Services Administrative Costs.....	78900	58,017
22	Indigent Burials (R)	85100	1,550,000
23	CHIP Administrative Costs.....	85601	633,107
24	CHIP Services.....	85602	12,122,368
25	BRIM Premium.....	91300	945,891
26	Children’s Trust Fund – Transfer.....	95100	220,000
27	Department of Human Services Reserve	XXXXX	<u>183,437,463</u>
28	Total		\$ 356,675,744

29 Any unexpended balances remaining in the appropriations for Behavioral Health Program
30 (fund 0403, appropriation 21900), Substance Abuse Continuum of Care (fund 0403, appropriation
31 35400), Office of Drug Control Policy (fund 0403, appropriation 35401), Capital Outlay and
32 Maintenance (fund 0403, appropriation 75500), Indigent Burials (fund 0403, appropriation 85100),
33 and Office of Drug Control Policy – Surplus (fund 0403, appropriation 35402) at the close of the
34 fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

35 Notwithstanding the provisions of Title I, section three of this bill, the Secretary of the
36 Department of Human Services shall have the authority to transfer funds within the above
37 appropriations: *Provided*, That no more than five percent of the funds appropriated to one
38 appropriation may be transferred to other appropriations: *Provided, however*, That no funds from
39 other appropriations shall be transferred to the Personal Services and Employee Benefits
40 appropriation: *Provided, further, notwithstanding the above*, That for Fiscal Year 2025 the
41 Secretary of the Department of Human Services shall have additional authority to transfer
42 appropriations between Personal Services and Employee Benefits and other dedicated
43 appropriations within the respective departments to effectuate the 5 percent average salary
44 increases granted during the 2024 regular legislative session: *And provided, further,*
45 *notwithstanding the above*, That for Fiscal Year 2025 the Secretary of Human Services shall have
46 the authority to make transfers from the Department of Human Services Reserve (fund 0403,
47 appropriation XXXXX) appropriation to any general revenue funds under the department: *And*
48 *provided, further, notwithstanding the above*, That no funds may be transferred from Fund 0485,
49 FY 2025 Org 0511 Bureau for Medical Services - Home and Community Based Waiver Programs
50 to any other appropriation. The Secretary shall submit monthly report to the Joint Committee on
51 Government and Finance beginning on August 1, 2024, on transfers made from the Department
52 of Human Services Reserve appropriation. The report shall provide an individual accounting on
53 each transfer of funds out of the Department of Human Services appropriation, including the fund
54 and appropriation to which the transfer was made and a detailed explanation of the need for the
55 transfer. At the request of the co-chairs, the report shall be presented in person to the Joint
56 Committee on Government and Finance.

57 The Secretary shall have authority to expend funds for the educational costs of those
58 children residing in out-of-state placements, excluding the costs of special education programs.

59 Any unexpended balance remaining in the appropriation Department of Human Services
60 Reserve (fund 0403, appropriation XXXXX) as of March 31, 2025, shall revert to the
61 unappropriated surplus balance of General Revenue.

62 The above appropriation for James "Tiger" Morton Catastrophic Illness Fund (fund 0403,
63 appropriation 45500) shall be transferred to the James "Tiger" Morton Catastrophic Illness Fund
64 (fund 5454) as provided by Article 5Q, Chapter 16 of the W.V. Code.

65 The above appropriation for WV Works Separate State Program (fund 0403, appropriation
66 69800) shall be transferred to the WV Works Separate State College Program Fund (fund 5467)
67 and the WV Works Separate State Two-Parent Program Fund (fund 5468) as determined by the
68 Secretary of the Department of Human Services.

69 From the above appropriation for Child Support Enforcement (fund 0403, appropriation
70 70500), an amount not to exceed \$300,000 may be transferred to a local banking depository to
71 be utilized to offset funds determined to be uncollectible.

72 Included in the appropriation for Behavioral Health Program (fund 0403, appropriation
73 21900), is \$100,000 for Recovery Point of Huntington.

74 The above appropriation for Children's Trust Fund – Transfer (fund 0403, appropriation
75 95100) shall be transferred to the Children's Trust Fund (fund 5469).

76 From the above appropriation for Substance Abuse Continuum of Care (fund 0403,
77 appropriation 35400), the funding will be consistent with the goal areas outlined in the
78 Comprehensive Substance Abuse Strategic Action Plan.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

Joe Lavin
Clerk of the Senate

Steve Harris
Clerk of the House of Delegates

OFFICE OF POST VOUCHER
SECRETARY OF STATE

2024 MAY 24 P 2:19

FILED

Originated in the Senate.

In effect from passage.

Cy P. Bell
President of the Senate

Ben Hanger
Speaker of the House of Delegates

The within is *approved* this the *24th*
Day of *May* 2024.

James Justice
Governor

PRESENTED TO THE GOVERNOR

MAY 23 2024

Time 2:05pm