

# **WEST VIRGINIA LEGISLATURE**

**2023 REGULAR SESSION**

**Introduced**

## **Senate Bill 617**

By Senator Barrett

[Introduced February 14, 2023; referred  
to the Committee on Health and Human Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §9-5-31, relating to required reporting; requiring that the Commissioner of the  
 3 Bureau for Medical Services produce a report; requiring that report relate to home and  
 4 community-based provider reimbursement; requiring use of methodology; requiring use of  
 5 independent party; and establishing deadline.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 5. MISCELLANEOUS PROVISIONS.**

**§9-5-31. Required report regarding home and community-based providers.**

1 The Commissioner of the Bureau for Medical Services shall produce a report for  
 2 transmission to the President of the Senate, the Speaker of the House of Delegates, and the  
 3 Legislative Commission on Health and Human Services Accountability by December 1, 2023, and  
 4 tri-annually thereafter, that determines recommended levels of reimbursement for home and  
 5 community-based providers that serve Intellectual/Developmental Disability (I/DD) patients.

6 The report shall utilize a methodology that accurately reflects the costs of providing  
 7 services corresponding to the department's objectives and standards for I/DD patients and also  
 8 reflects regional wage differentiations in border areas of the state that impede the recruitment and  
 9 retention of direct care workers. The Commissioner of the Bureau for Medical Services shall  
 10 utilize an independent party having professional expertise in developing recommended home and  
 11 community-based reimbursement rates for Intellectual/Developmental Disability (I/DD) providers.

NOTE: The purpose of this bill is to require the Commissioner of the Bureau for Medical Services to produce a report to determine the recommended levels of reimbursement for home and community-based providers that service Intellectual/Developmental Disability (I/DD) patients.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.