

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 336**

4 (By Senators Ferns and Takubo)

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6 [Originating in the Committee on Government Organization;  
7 reported February 25, 2015.]  
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11 A BILL to amend §16-29B-19 of the Code of West Virginia, 1931, as amended, relating generally  
12 to powers and duties of Health Care Authority; and eliminating authority of the Health Care  
13 Authority to apply penalties or penalties held in abeyance to any future rate applications filed  
14 with the authority.

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

16 That §16-29B-19 of the Code of West Virginia, 1931, as amended, be amended and reenacted  
17 to read as follows:

18 **ARTICLE 29B. HEALTH CARE AUTHORITY.**

19 **§16-29B-19. Rate-setting powers generally.**

20 (a) The board shall have power: (1) To initiate reviews and investigations of hospital rates  
21 and establish and approve such rates; (2) to initiate reviews and investigations of hospital rates for  
22 specific services and the component factors which determine such rates; (3) to initiate reviews and  
23 investigations of hospital budgets and the specific components of such budgets; and (4) to approve  
24 or disapprove hospital rates and budgets taking into consideration the criteria set forth in section  
25 twenty of this article. Provided That, The board may not apply new penalties or penalties held in  
26 abeyance to any future rate applications filed with the Authority effective May 31, 2015 forward.

27 (b) In the interest of promoting the most efficient and effective use of hospital service, the  
28 board may adopt and approve alternative methods of rate determination. The board may also adopt

1 methods of charges and payments of an experimental nature which are in the public interest and  
2 consistent with the purpose of this article.

3 (c) The board shall examine the need for an alternative to the current rate-setting method as  
4 a means of controlling hospital costs and submit the findings, recommendations and any proposed  
5 drafts of legislation, if necessary, in a report to the Legislative Oversight commission on health and  
6 human resources accountability and the Governor on or before August 1, 1998.

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