

1 **Senate Bill No. 562**

2 (By Senators Yost and Kessler)

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4 [Introduced February 23, 2015; referred to the Committee on Health and Human Resources; and  
5 then to the Committee on Finance.]

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10 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
11 designated §9-5-24, relating to requiring the Department of Health and Human Resources  
12 review rates paid to health care providers.

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

14 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
15 section, designated §9-5-24, to read as follows:

16 **ARTICLE 5. MISCELLANEOUS PROVISIONS.**

17 **§9-5-24. Review and adjustment of rates paid to care providers.**

18 (a) The Department of Health and Human Resources shall perform a review of rates it pays  
19 to health care providers and the rates its managed care contractors pay to health care providers. The  
20 reviews shall be undertaken every two years. In doing the reviews the department shall determine  
21 the cost to the provider type for providing health care services on behalf of the department or the  
22 managed care contractor in comparison to the amounts paid.

1 (b) The results of the rate review in subsection (a) of this section may not compel an increase  
2 in the health care rates paid but shall be used by the department to determine if the current rates are  
3 adequate to assure access to health care services provided under the Medicaid program.

4 (c) The department shall provide copies of the rate review findings and work papers to the  
5 Joint Committee on Government and Finance within thirty days of completing the review and at the  
6 same time publically post the reports and work papers on its website.

7 (d) The department shall provide the Joint Committee on Government and Finance a  
8 schedule of when various rate reviews by provider and service type will be performed within thirty  
9 days of the effective date of this section. The schedule shall be updated and resubmitted every year  
10 after that.

11 (e) If the department does not comply with this section the Joint Committee on Government  
12 and Finance may conduct an independent rate review on its own and the Department of Health and  
13 Human Resources and its managed care contractors shall fully cooperate. The department shall  
14 reimburse the Joint Committee on Government and Finance for all expenses and costs incurred in  
15 conducting the review. The findings and work papers shall be posted on the legislative website, if  
16 the review is conducted by the Joint Committee on Government and Finance.

NOTE: The purpose of this bill is to require the Department of Health and Human Resources to review rates it pays to care providers.

This section is new; therefore, strike-throughs and underscoring have been omitted.