

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Committee Substitute

for

Senate Bill 68

BY SENATORS FERNS AND TAKUBO

[Originating in the Committee on Health and Human

Resources; reported on February 3, 2016.]

1 A BILL to repeal §16-29B-19, §19-29B-19a, §16-29B-20, §16-29B-21 and §16-29B-21a of the
2 Code of West Virginia, 1931, as amended; and to amend and reenact §16-29B-10 of said
3 code, relating generally to powers and duties of the Health Care Authority; eliminating
4 authority of the Health Care Authority to conduct rate review and set rates for hospitals;
5 and eliminating antiquated studies to be conducted by the Health Care Authority.

Be it enacted by the Legislature of West Virginia:

1 That §16-29B-19, §16-29B-19a, §16-29B-20, §16-29B-21 and §16-29B-21a of the Code
2 of West Virginia, 1931, as amended, be repealed; and that §16-29B-10 of said code be amended
3 and reenacted to read as follows:

ARTICLE 29B. HEALTH CARE AUTHORITY.

§16-29B-10. Jurisdiction of the board.

1 Notwithstanding any other provision of this code or state law, after July 1, ~~1984~~ 2016, the
2 jurisdiction of the board or authority as to rates for health services care ~~shall extend to all hospitals~~
3 ~~as defined herein doing business in the State of West Virginia (with the exception of hospitals~~
4 ~~owned and operated by the federal government)~~ ceases to exist.

5 ~~(b) Those costs or charges associated with individual health care providers or health care~~
6 ~~provider groups providing inpatient or outpatient services under a contractual agreement with~~
7 ~~hospitals (excluding simple admitting privileges) shall be under the jurisdiction of the board. The~~
8 ~~jurisdiction of the board shall not extend to the regulation of rates of private health care providers~~
9 ~~or health care groups providing inpatient or outpatient services under a contractual agreement~~
10 ~~with hospitals when the provision of such service is outside the hospital setting, and shall not~~
11 ~~extend to the regulation of rates of all other private health care providers practicing outside the~~
12 ~~hospital setting. *Provided*, That such practice outside of the hospital setting is not found to be an~~
13 ~~evasion of the purposes of this article.~~

CS for SB 68

NOTE: The purpose of this bill is to alter the powers and duties of the Health Care Authority. It changes the authority of the Health Care Authority to collect from hospitals a financial obligation based upon gross revenue to amount based upon net revenue and to eliminate the authority of the Health Care Authority regarding rate review for hospitals.

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