

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

Senate Bill 537

BY SENATORS BOSO AND CLINE

[Introduced February 6, 2019; 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 §16-29B-31, relating to creating a workgroup to review the hospice need
 3 standards in this state.

Be it enacted by the Legislature of West Virginia:

ARTICLE 29B. HEALTH CARE AUTHORITY.

§16-29B-31. Hospice need standard review; membership; report to the Legislative Oversight Committee on Health and Human Resources.

1 (a) The West Virginia Health Care Authority shall form a working group to review the
 2 provision of hospice services in West Virginia. The workgroup shall be comprised of the following
 3 members:

4 (1) The Chairman of the West Virginia Health Care Authority, who shall also be the chair
 5 of this workgroup;

6 (2) The Secretary of the Department of Health and Human Resources, or designee;

7 (3) Six hospice providers chosen by the Hospice Council of West Virginia;

8 (A) One of which must be a for-profit service provider; and

9 (B) Two of which must operate a free-standing inpatient hospice facility;

10 (4) One member chosen by the West Virginia chapter of the American Cancer Society;

11 (5) One member chosen by the Alzheimer Association of West Virginia;

12 (6) One member chosen by the West Virginia Rural Health Association;

13 (7) One member chose by West Virginia AARP;

14 (8) A hospital-based hospice provider chosen by the West Virginia Hospital Association;

15 (9) A physician chosen by the West Virginia State Medical Association with a practice
 16 treating terminal diseases; and

17 (10) A physician chosen by the West Virginia Osteopathic Medial Association whose
 18 practice includes geriatric patients.

19 (b) The work group shall have the following duties:

20 (1) Establish a model for data collection to best predict future need of hospice service in
21 West Virginia and collect the necessary data;

22 (2) Review the access to hospice services in West Virginia as well as future needs;

23 (3) Examine how West Virginia serves its population with hospice services;

24 (4) Examine the financial condition of the current delivery system;

25 (5) Recommend a need methodology to the Authority of the development of new hospice
26 services; and

27 (6) Make other recommendations the work group deems appropriate.

28 (c) The Authority shall provide staff for the work group and the work group shall schedule
29 one public hearing in each of the congressional districts in West Virginia as it related to the
30 provision of hospice services in the state. The work group shall develop and approve a final report
31 by June 30, 2020, and a copy shall be submitted to the Joint Committee of Government and
32 Finance of the Legislature, the Governor, and the Authority. The work group will sunset on March
33 31, 2021.

34 (d) The Authority shall consider modifying the hospice standards based on the report's
35 findings no later than December 31, 2020: *Provided*, That prior to approving the modified
36 standards the Authority shall present its proposed changes to the hospice need standards to the
37 Legislative Oversight Committee on Health and Human Resources within 90 days after
38 development of the drafts and prior to submission of the final hospice need standards to the
39 Governor. The Legislative Oversight Committee on Health and Human Resources shall have 90
40 days to review the standards and provide input to the Authority, which shall consider such input
41 when developing the final standards for submission to the Governor.

42 (e) The need standards of the provision of hospice services shall be those that were in
43 effect on January 1, 2018, and shall remain in effect until the Governor approves the new
44 standards developed according to this section. The need standards for hospice shall not be
45 modified prior to March 31, 2021.

NOTE: The purpose of this bill is to establish a work group to review the need standards of hospice services in this state.

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