

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Committee Substitute

for

Senate Bill 641

SENATORS MARONEY AND TAKUBO, *original sponsors*

[Originating in the Committee on Health and Human
Resources; Reported on February 20, 2019]

1 A BILL to repeal §16-2H-3 and §16-2H-4 of the Code of West Virginia, 1931, as amended; and to
2 amend and reenact §16-2H-2 of said code, relating to the Primary Care Support Program;
3 eliminating loan fund; and creating grant fund.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2H. PRIMARY CARE SUPPORT PROGRAM.

**§16-2H-2. Primary Care Support Program. ~~primary care revolving loan fund; primary care
uncompensated care fund; seed money and technical assistance~~**

1 (a) There is hereby created the Primary Care Support Program within the ~~Division of~~
2 Bureau of Public Health within the Department of Health and Human Resources. The program
3 shall provide technical and organizational assistance to community-based primary care services.
4 ~~throughout the state.~~

5 (b) The Primary Care Support Program shall create and administer a Primary Care
6 ~~revolving loan fund to lend~~ Grant Fund to grant money to federally qualified health centers and
7 federally qualified health center look-alikes, and secure federal medical assistance percentage
8 funding. ~~primary care centers in need of immediate financial assistance. In order to qualify for the~~
9 ~~loans, a primary care center must be a nonprofit corporation, have a community board, provide~~
10 ~~services to the public regardless of ability to pay (such as on a sliding fee scale basis) and present~~
11 ~~proof of designation as a federally qualified health center or rural health center, of steps taken to~~
12 ~~qualify as a federally qualified health center or rural health center or of why status as a federally~~
13 ~~qualified or rural health center would not result in improved revenues to the center. Federally~~
14 qualified health center look-alikes already receiving grant funding at the time this program is
15 created shall continue to receive grant funding annually. Upon approval by the secretary of the
16 department, federally qualified health centers in need of immediate financial assistance may be
17 granted funding annually. All funds designated to federally qualified health centers may be
18 transferred to Medicaid for the purpose of securing federal medical assistance percentage
19 funding.

20 There is hereby created a special revenue fund in the State Treasury to be known as the
21 Primary Care ~~Loan~~ Support Fund into which all appropriations, payments, and interest to the
22 ~~revolving loan~~ fund created herein shall be deposited, to be held and disbursed according to law.

23 (c) ~~The primary care support program shall create and administer a "Primary Care~~
24 ~~Uncompensated Care Fund". All revenues contained in the fund shall be distributed to primary~~
25 ~~care centers in the form of grants designed to offset the primary care centers' costs of providing~~
26 ~~uncompensated health care services. In order to qualify for the grants, a primary care center must~~
27 ~~be a nonprofit corporation, have a community board, provide services to the public regardless of~~
28 ~~ability to pay (such as on a sliding fee scale basis) and present proof of designation as a federally~~
29 ~~qualified health center or rural health center, of steps taken to qualify as a federally qualified health~~
30 ~~center or rural health center, or of why status as a federally qualified or rural health center would~~
31 ~~not result in improved revenues to the center.~~ The Primary Care Support Program shall conduct
32 and make available upon request an annual primary care report which shall consist of total West
33 Virginia Medicaid primary care expenditures as a percentage of total West Virginia Medicaid
34 expenditures.

35 (d) ~~The primary care support program shall provide seed money grants and technical~~
36 ~~assistance to help nonprofit, community-based organizations create new primary care services~~
37 ~~for people in their community. Under no circumstances will a specific project be entitled to receive~~
38 ~~the grants for more than three years. In order to qualify for the grants, applicants must provide~~
39 ~~the following:~~

40 (1) ~~A description of an unmet need for certain primary care services in their community;~~

41 (2) ~~A detailed account, including a budget, of how the applicant's project will use technical~~
42 ~~and financial assistance from the program and other sources to develop the primary care services~~
43 ~~within one year that will be available to the public regardless of ability to pay;~~

44 ~~(3) A detailed account, including a budget, showing how the services will continue to be~~
45 ~~funded once established and showing how potential federal and charitable funds will be~~
46 ~~maximized;~~

47 ~~(4) An account of the extent of community involvement and support for the project;~~

48 ~~(5) A description of how the project will be coordinated with local activities of the division~~
49 ~~of health, regional health advisory councils, the health care planning commission, medical~~
50 ~~schools, local health departments, primary care clinics or other public health agencies~~

51 ~~(e) (d) The director of health~~ Department of Health and Human Resources shall
52 promulgate rules in accordance with ~~article three, chapter twenty-nine-a~~ §29A-3-1 *et seq.* of this
53 code to implement the provisions of this article, and shall approve all loans, grants, and
54 disbursements of money authorized by this article.

§16-2H-3. Preventive services and health education.

1 [Repealed.]

§16-2H-4. Advisory board.

1 [Repealed.]

NOTE: The purpose of this bill is to change the Primary Care Revolving Loan Fund to a grant fund.

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