

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4831

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PAYNTER, HIGGINBOTHAM AND CAMPBELL

[Introduced February 11, 2020; Referred to the
Committee on Health and Human Resources then
Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §16-5AA-1, §16-5AA-2, §16-5AA-3, §16-5AA-4, and §16-5AA-5; all relating to
 3 establishing a comprehensive addiction recovery center certification and grant program in
 4 this state; providing for certification criteria; providing for eligibility criteria to receive a
 5 grant; providing for ranking priorities of grant applicants; providing for grant award
 6 limitations; providing for reporting requirements of grant recipients; providing for the
 7 creation of the Comprehensive Addiction Recovery Center Fund; providing for funding;
 8 providing for permitted expenditures from the fund; providing that money in the fund
 9 remains in the fund at the end of the fiscal year; and providing for an effective date.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5AA. COMPREHENSIVE ADDICTION RECOVERY CENTERS.

§16-5AA-1. Establish the comprehensive addiction recovery center certification and grant program

1 The Bureau of Public Health shall establish:

2 (1) A comprehensive addiction recovery center certification for eligible entities that meet
 3 the requirements of this article; and

4 (2) A comprehensive addiction recovery center grant program for the purpose of assisting
 5 in the establishment or operation of comprehensive addiction recovery centers.

§16-5AA-2. Certification criteria; criteria for eligibility to receive a grant; permitted uses of grant funds; priority consideration for applicants; limitation of grant awards.

1 (a) The Bureau of Public Health may award a grant in accordance with this article for an
 2 eligible entity or group of entities working in cooperation to establish or operate a comprehensive
 3 addiction recovery center. In order for an entity to be certified as a comprehensive addiction
 4 recovery center and be eligible for a grant under this article, the entity must apply for the
 5 certification or grant in the manner set forth by this section and meet the following requirements:

6 (1) Be credentialed to accept reimbursement through all of the following:

7 (A) A policy of accident and sickness insurance as defined in §33-28-1 et seq. of this code;

8 (B) A contract with a health maintenance organization as defined in §33-25C-1 et seq. of
9 this code;

10 (C) The West Virginia Medicaid State Plan pursuant to Title XIX of the Social Security Act
11 Medical Assistance Program;

12 (D) Mental health and addiction forensic treatment services as commonly referenced by
13 the Bureau for Behavioral Health;

14 (2) Determine that the applicant carries out or is capable of coordinating with other entities
15 to carry out the following:

16 (A) Community outreach, including:

17 (i) Train and supervise outreach staff to work with schools, workplaces, faith-based
18 organizations, the state Department of Health and Human Resources, local health departments,
19 law enforcement, and first responders to ensure awareness of the center's services;

20 (ii) Disseminate and make available online evidence-based resources that educate
21 professionals and the public on opioid use disorder and other substance use disorders;

22 (B) Treatment and recovery services, including:

23 (i) Intake and evaluation that determines the clinical needs of patients;

24 (ii) Full continuum of treatment services including all drugs approved by the United States
25 Food and Drug Administration for medication assisted treatment, including withdrawal
26 management, detoxification, and maintenance of substance use disorders;

27 (iii) Treatment services include either partial hospitalization or intensive outpatient, at least
28 one level of residential care, at least one level of inpatient or acute hospitalization, peer support
29 services, and outpatient services, including medication management and behavioral therapies,
30 recovery residences, and other services as defined by the Bureau of Public Health;

31 (iv) Administration of an onsite pharmacy and provision of toxicology services;

32 (C) Establishment and operation of a secure and confidential electronic health information

33 system that is capable of measuring recovery outcomes, including measures of: (i) Housing and
34 employment; and (ii) any other relevant measures determined by the Bureau of Public Health;

35 (D) Partnering with community or faith-based entities to offer family support services,
36 including child-care, family counseling, and other services and defined by the Bureau of Public
37 Health;

38 (E) Partnering with entities to deliver job training and workforce readiness services; and

39 (3) Use the grant funds to establish or operate a comprehensive addiction recovery center.

40 (b) The Bureau of Public Health shall give priority to applications by eligible entities that:

41 (1) Are geographically distributed around the state; and

42 (2) Meet other criteria or need, as determined by the bureau.

43 (c) The bureau may award at least three grants under this article.

§16-5AA-3. Reporting requirements for grant recipients.

1 (a) On July 1, 2020, each entity that is awarded a grant under this article to establish or
2 operate a comprehensive addiction recovery center must submit to the bureau the following:

3 (1) The programs and activities funded by the grant;

4 (2) The health outcomes, including recovery measures concerning housing and
5 employment of individuals with a substance use disorder who received services from the center;

6 (3) The effectiveness of interventions designed, tested, and evaluated by the center; and,

7 (4) Any other information the bureau requires to evaluate the effectiveness of the center
8 and ensure that the center is complying with all requirements of the grant, including: (i) Providing
9 the full continuum of services; and (ii) the drugs and devices for overdose reversal.

10 (b) Any data submitted under this section that identifies any patient information of a
11 comprehensive addiction recovery center is confidential. However, the outcomes data may be
12 released to any board, commission, department, division, bureau, committee, agency, office,
13 instrumentality, or authority exercising any part of the executive, administrative, judicial, or
14 legislative power of the state.

§16-5AA-4. Comprehensive addiction recovery center fund created; funding sources; permitted expenditures.

1 (a) The Comprehensive Addiction Recovery Center Fund is hereby established, and the
2 Treasurer of the State is hereby directed to create and maintain and account in the State Treasury,
3 for the purpose of carrying out this article. The fund shall be administered by the Bureau of Public
4 Health. The expenses of administering the fund shall be paid from money in the fund.

5 (b) The fund shall consist of the following:

6 (1) Money appropriated to the fund from the Legislature;

7 (2) Money received from state or federal grants or programs; and

8 (3) Donations, gifts, and money received from any other source.

9 (c) The Treasurer of the State shall invest the money in the fund not currently needed to
10 meet the obligations of the fund in the same manner as other public money may be invested.
11 Interest that accrues from these investments shall be deposited into the fund.

12 (d) Any money that remains in the fund at the end of the fiscal year shall remain in the
13 fund and shall not revert to the General Revenue Fund.

14 (e) Expenditures from the fund may not be made unless the expenditure is approved by
15 the director of the bureau.

§16-5AA-5. Effective date.

1 This article will take effect on July 1, 2020.

NOTE: The purpose of this bill is to establish a comprehensive addiction recovery center certification and grant program.

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