

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Enrolled

Senate Bill 641

BY SENATOR MARONEY

[Passed March 7, 2020; in effect 90 days from
passage]

1 AN ACT to amend and reenact §5-16B-6d of the Code of West Virginia, 1931, as amended,
2 relating to the Children’s Health Insurance Program; removing how reimbursements rates
3 are calculated; and making other technical changes.

Be it enacted by the Legislature of West Virginia:

ARTICLE 16B. WEST VIRGINIA CHILDREN’S HEALTH INSURANCE PROGRAM.

§5-16B-6d. Modified benefit plan implementation.

1 (a) Upon approval by the Centers for Medicare and Medicaid Services, the board shall
2 implement a benefit plan for uninsured children of families with income between 200 and 300
3 percent of the federal poverty level.

4 (b) The benefit plans offered pursuant to this section shall include services determined to
5 be appropriate for children, but may vary from those currently offered by the board.

6 (c) The board shall structure the benefit plans for this expansion to include premiums,
7 coinsurance or copays, and deductibles. The board shall develop the cost-sharing features in
8 such a manner as to keep the program fiscally stable without creating a barrier to enrollment.
9 Such features may include different cost-sharing features within this group based upon the
10 percentage of the federal poverty level.

11 All provisions of §5-16B-1 *et seq.* of this code are applicable to this expansion unless
12 expressly addressed in §5-16B-6d of this code.

13 (d) Nothing in §5-16B-6d of this code may be construed to require any appropriation of
14 state general revenue funds for the payment of any benefit provided pursuant to this section,
15 except for the state appropriation used to match the federal financial participation funds. In the
16 event that federal funds are no longer authorized for participation by individuals eligible at income
17 levels above 200 percent, the board shall take immediate steps to terminate the expansion
18 provided for in this section and notify all enrollees of such termination. In the event federal
19 appropriations decrease for the programs created pursuant to Title XXI of the Social Security Act
20 of 1997, the board is directed to make those decreases in this expansion program before making

- 21 changes to the programs created for those children whose family income is less than 200 percent
- 22 of the federal poverty level.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2020.

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Governor