

WEST VIRGINIA LEGISLATURE

JOINT COMMITTEE ON HEALTH
FINAL REPORT

2013- 2014 Interims

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Final Report of

JOINT COMMITTEE ON HEALTH

The Joint Committee on Health was established and appointed by the Joint Committee on Government and Finance, following the 2013 Regular Session of the 81st Legislature. The Committee was assigned the following Resolutions and topics for study during the course of the 2013-2014 Interim Period:

- Study of state-run and operated behavioral health facilities
- HCR115 Compulsory Immunization in West Virginia, medical exemption
- HCR116 The feasibility and necessity of medical marijuana
- HCR117 Certificate of Need process

At the first meeting of the Joint Committee all Resolutions were presented by Committee Counsel.

The Co-Chairs of the Committee requested and received permission from the President of the Senate and the Speaker of the House of Delegates to appoint subcommittees to study these issues, but subcommittees were not appointed.

The Committee **REPORTS** as follows:

ASSIGNED STUDY TOPICS

Study of state-run and operated behavioral health facilities

The Committee first heard from Dr. Robert Williams, Executive Director, United Summit Center. Dr. Williams gave a presentation on commitments to crisis stabilization units, diversions and the history of institutionalization. Dr. Williams stated that community-based services for adults with mental illness and adults with co-occurring mental illness are, by West Virginia statute, the responsibility of thirteen comprehensive community mental health centers. Each center should have a continuum of services. Five core services should be provided by these centers: diagnostic and assessment services, crisis services, linkages with inpatient and residential treatment facilities, treatment services and support services. Dr. Williams provided recommendations to the Committee in order to provide a better comprehensive system of care for adults with mental illnesses and adults with co-occurring mental illnesses.

At this time, the Committee **RECOMMENDS** that no action be taken on this resolution.

House Concurrent Resolution 115 - Compulsory Immunization in West Virginia, medical exemption

The Committee met in Wheeling, WV during the 2013 June interims. The Committee heard testimony from Dr. William C. Mercer, Health Officer, Wheeling-Ohio County Health Department. Dr. Mercer gave an overview of the immunization exemption process the Wheeling-Ohio Health Department utilizes.

The Committee also heard Becky Nau, a parent of a child in Ohio county who was denied a medical exemption from the Wheeling-Ohio County Health Department. Mrs. Nau expressed that her child has severe medical reasons which necessitated a medical exemption. She expressed frustration in that there were few written guidelines provided by the Department of Public Health or the Wheeling-Ohio Health Department that provided time frames or a clearly written appeals process should there a questionable or objectionable ruling from the Health Department.

At this time, the Committee **RECOMMENDS** that no action be taken on this resolution. The Bureau for Public Health has recently updated their website to address general appeals process for parents who wish to appeal their Health Departments decision.

House Concurrent Resolution 116 - The feasibility and necessity of medical marijuana

The Committee heard from Karmen Hanson, Health Program Manager, NCSL. Ms. Hanson provided an overview of medical marijuana programs and related state laws.

The Committee also heard testimony from Matt Simons, Legislative Analyst, Marijuana Policy Project. Mr. Simons spoke to the Committee in regards to the benefits of medical marijuana programs and regulations. Mr. Simons also presented the medical benefits of the substance.

At this time, the Committee **RECOMMENDS** that no action be taken on this resolution.

House Concurrent Resolution No. 117 - Certificate of Need process

The Committee heard testimony from Jim Pitrolo, Chairman, West Virginia Health Care Authority (WVHCA). Mr. Pitrolo provided a history of the CON process in West Virginia, duration and timelines by state and coverage summaries by state. He also provided who and what services were subject to CON review and those exempt from review. Mr. Pitrolo told the Committee that

CON controls costs by preventing the duplication of services and unnecessary expenditures. Should the CON process be repealed, Mr. Pitrolo told the Committee that there would be an immediate impact on the Medicaid budget, in that CON acts to control costs for the state's Medicaid budget by reviewing services that have an impact on the Medicaid budget. He also stated that West Virginia must protect consumers from unreasonable costs. In conclusion, Mr. Pitrolo gave a series of mission statements which he believes the CON process wishes to continue to ensure.

At this time, the Committee **RECOMMENDS** that no action be taken on this resolution.

MISCELLANEOUS ISSUES

The Committee heard from Keith Peifer, President of West Virginia Family Health. Mr. Peifer spoke to the Committee concerning the new Medicaid only provider sponsored network partnership between Highmark and West Virginia's federally qualified health centers.

This presentation was informational in nature. No action is necessary.

The Committee also heard from Dr. Dan Foster, Kanawha County Substance Abuse Task Force. He presented recommendations and overview that the Task Force made to the legislature in regards to substance abuse.

This presentation was informational in nature. No action is necessary.

Respectfully submitted:

Senator Ron Stollings
Co-Chair

Delegate Don Perdue
Co-Chair