

HB# 4666

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SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994



ENROLLED

HOUSE BILL No. 4666

(By Delegates L. White, Doyle, Leach,
S. Cook, Petersen, H. White and
McKinley)

Passed March 12, 1994

In Effect 90 Days From Passage

ENROLLED
H. B. 4666

(By DELEGATES P. WHITE, DOYLE, LEACH, S. COOK, PETERSEN,
H. WHITE AND MCKINLEY)

[Passed March 12, 1994; in effect ninety days from passage.]

AN ACT to repeal section three, article four-a, chapter nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section two-a of said article, relating to authorization to use moneys from the medical services trust fund to make the required state match payment for the medicaid disproportionate share hospital program.

Be it enacted by the Legislature of West Virginia:

That section three, article four-a, chapter nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that section two-a of said article be amended and reenacted to read as follows:

ARTICLE 4A. MEDICAID UNCOMPENSATED CARE FUND.

§9-4A-2a. Medical services trust fund.

1 (a) The Legislature finds and declares that certain
2 dedicated revenues should be preserved in trust for the
3 purpose of stabilizing the state's medicaid program and
4 providing services for future federally mandated
5 population groups in conjunction with federal reform.

6 (b) There is hereby created a special account within
7 the department of health and human resources, which
8 shall be an interest-bearing account and may be
9 invested in the manner permitted by section nine, article
10 six, chapter twelve of this code, designated the medical

11 services trust fund. Funds paid into the account shall
12 be derived from the following sources:

13 (1) Transfers, by intergovernmental transfer, from the
14 hospital services revenue account provided for in section
15 fifteen-a, article one, chapter sixteen of this code;

16 (2) All interest or return on investment accruing to the
17 fund;

18 (3) Any gifts, grants, bequests, transfers or donations
19 which may be received from any governmental entity or
20 unit or any person, firm, foundation or corporation; and

21 (4) Any appropriations by the Legislature which may
22 be made for this purpose.

23 (c) Expenditures from the fund are limited to the
24 following:

25 (1) Payment of backlogged billings from providers of
26 medicaid services when cash-flow problems within the
27 medical services fund do not permit payment of
28 providers within federally required time limits; and

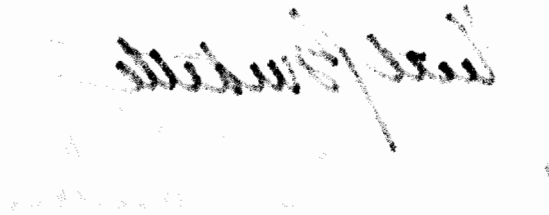
29 (2) Funding for services to future federally mandated
30 population groups in conjunction with federal health
31 care reform: *Provided*, That other medicaid funds have
32 been exhausted for the federally mandated expansion:
33 *Provided, however*, That new optional services for which
34 a state medicaid plan amendment is submitted after the
35 first day of May, one thousand nine hundred ninety-
36 three, which are not cost effective for the state, are
37 eliminated prior to expenditure of any moneys from this
38 fund for medicaid expansion.

39 (3) Payment of the required state match for medicaid
40 disproportionate share payments in order to receive
41 federal financial participation in the disproportionate
42 share hospital program.

43 (d) Expenditures from the fund solely for the purposes
44 set forth in subsection (c) of this section shall be
45 authorized in writing by the governor, who shall
46 determine in his or her discretion whether any expen-
47 diture shall be made, based on the best interests of the
48 state as a whole and its citizens, and shall designate the

49 purpose of the expenditure. Upon authorization signed
50 by the governor, funds may be transferred to the
51 medical services fund: *Provided*, That all expenditures
52 from the medical services trust fund shall be reported
53 forthwith to the joint committee on government and
54 finance.

55 (e) Notwithstanding the provision of section two,
56 article two, chapter twelve of this code, moneys within
57 the medical services trust fund may not be redesignated
58 for any purpose other than those set forth in subsection
59 (c) of this section, except that, upon elimination of the
60 medicaid program in conjunction with federal health
61 care reform, moneys within the fund may be redesign-
62 nated for the purpose of providing health care coverage
63 or services in coordination with federal reform.



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

[Handwritten Signature]

Chairman Senate Committee

Ernest C Moore

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

[Handwritten Signature]

Clerk of the Senate

Donald J. Hopp

Clerk of the House of Delegates

[Handwritten Signature]

President of the Senate

[Handwritten Signature]

Speaker of the House of Delegates

The within *is approved* this the *30th*
day of *March*, 1994

[Handwritten Signature]

Governor

PRESENTED TO THE

GOVERNOR

Date 3/28/94

Time 9:36 am