

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Committee Substitute

for

Senate Bill 634

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PREZIOSO, BEACH, CLEMENTS AND MARONEY

[Originating in the Committee on Government

Organization; reported on March 24, 2017]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §9-2-9a, relating generally to certain agreements between the Department of
3 Health and Human Resources and the two largest state universities; and exempting such
4 agreements from the requirements of the State Purchasing Division.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
2 section, designated §9-2-9a, to read as follows:

**ARTICLE 2. COMMISSIONER OF HUMAN SERVICES; POWERS, DUTIES AND
RESPONSIBILITIES GENERALLY.**

§9-2-9a. Agreements between the Secretary and State Universities.

1 Any contract, agreement or memorandum of understanding between the secretary and
2 West Virginia University or Marshall University for services is exempt from the provisions of article
3 three, chapter five-a of this code: *Provided*, That any contract entered into under the provisions
4 of subsection five, section six of this article, for the provision of Medicaid services by a risk-bearing
5 entity, is not exempt from the provisions of article three, chapter five-a of this code.

NOTE: The purpose of this bill is to create an exemption for the Department of Health and Human Resources from having to go through the requirements of the Division of Purchasing when entering into agreements with West Virginia University or Marshall University for the provision of services, which will encourage collaboration and cost-saving between the Universities and the Department of Health and Human Resources.

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