

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Enrolled

Senate Bill 231

BY SENATOR HALL

[Passed March 15, 2017; to take effect July 1, 2017]

1 AN ACT to amend and reenact §18-2-5b of the Code of West Virginia, 1931, as amended, relating
2 to providing that a county board of education is not required to seek Medicaid
3 reimbursement if it determines there is not a net benefit after consideration of costs and
4 time involved with seeking the reimbursement for eligible services and that the billing
5 process detracts from the educational program.

Be it enacted by the Legislature of West Virginia:

1 That §18-2-5b of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-5b. Medicaid-eligible children; school health services advisory committee.

1 (a) The state board shall become a Medicaid provider and seek out Medicaid-eligible
2 students for the purpose of providing Medicaid and related services to students eligible under the
3 Medicaid program and to maximize federal reimbursement for all services available under the
4 Omnibus Budget Reconciliation Act of 1989, as it relates to Medicaid expansion and any future
5 expansions in the Medicaid program for Medicaid and related services for which state dollars are
6 or will be expended.

7 (b) The state board may delegate this provider status and subsequent reimbursement to
8 regional education service agencies, county boards or both: *Provided*, That a county board is not
9 required to seek reimbursement if it determines there is not a net benefit after consideration of
10 costs and time involved with seeking the reimbursement for eligible services and that the billing
11 process detracts from the educational program.

12 (c) Annually, no later than January 1, the state board shall report on a county by county
13 basis to the Legislature:

- 14 (1) The number and age of children eligible for Medicaid;
- 15 (2) The number and age of children with Medicaid coverage;
- 16 (3) The types of Medicaid-eligible services provided;

17 (4) The frequency of services provided;

18 (5) The Medicaid dollars reimbursed; and

19 (6) The problems encountered in the implementation of this system.

20 (d) The state board shall appoint and convene a school health services advisory
21 committee to advise the Secretary of Health and Human Resources and the state superintendent
22 on ways to improve the ability of regional education service agencies, local school boards and
23 Department of Health and Human Resources employees to provide Medicaid-eligible children
24 with all the school-based Medicaid services for which they are eligible and to ensure that the
25 school-based Medicaid service providers bill for and receive all the Medicaid reimbursement to
26 which they are entitled.

27 (e) The committee shall consist of at least the following individuals:

28 (1) The person within the Department of Education responsible for coordinating the
29 provision of and billing for school-based Medicaid services in schools throughout the state, who
30 shall provide secretarial, administrative and technical support to the advisory committee;

31 (2) The person within the Department of Health and Human Resources responsible for
32 coordinating the enrollment of Medicaid-eligible school children throughout the state;

33 (3) Two representatives of regional education service agencies who are experienced with
34 the process of billing Medicaid for school-based health services;

35 (4) Two Department of Health and Human Resources employees responsible for
36 supervising employees;

37 (5) Two persons jointly appointed by the Secretary of Health and Human Resources and
38 the state superintendent; and

39 (6) One representative of the Governor's task force on school health.

40 (f) The school health services advisory committee shall meet in the first instance at the
41 direction of the state superintendent, select a chairperson from among its members, and meet
42 thereafter at the direction of the chairperson. The committee shall report its findings and

43 recommendations to the state board and Department of Health and Human Resources, which
44 findings shall then be included in the report to the Legislature by the state board and Department
45 of Health and Human Resources provided in subsection (c) of this section.

46 (g) All actual and necessary travel expenses of the members of the committee shall be
47 reimbursed by the member's employing agency, for those members not employed by a state
48 agency, the member's actual and necessary travel expenses shall be paid by the state board. All
49 such expenses shall be reimbursed in the same manner as the expenses of state employees are
50 reimbursed.

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

.....
Chairman, Senate Committee

.....
Chairman, House Committee

Originated in the Senate.

To take effect July 1, 2017.

.....
Clerk of the Senate

.....
Clerk of the House of Delegates

.....
President of the Senate

.....
Speaker of the House of Delegates

The within this the.....
Day of, 2017.

.....
Governor