

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

ENROLLED

Senate Bill 686

BY SENATORS HALL, BOLEY, BLAIR, BOSO, FERNS,
GAUNCH, FACEMIRE, MANN, MARONEY, MULLINS,
PALUMBO, PLYMALE, PREZIOSO, STOLLINGS, SYPOLT,
TAKUBO AND UNGER

[Passed April 8, 2017; in effect 90 days from passage]

1 AN ACT to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto
2 a new section, designated §5A-3-3a, relating to facilities providing direct patient care
3 services that are managed, directed, controlled and governed by the Secretary of the
4 Department of Health and Human Resources; exempting such facilities from statewide
5 purchasing requirements and from the otherwise required oversight and review by the
6 Purchasing Division of the Department of Administration; and requiring the Legislative
7 Auditor to audit purchasing made by facilities and report the findings to the Joint
8 Committee on Government and Finance.

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 §5A-3-3a, to read as follows:

ARTICLE 3. PURCHASING DIVISION.

**§5A-3-3a. Exemption of facilities providing direct patient care services that are managed,
directed, controlled and governed by the Secretary of the Department of Health and
Human Resources.**

1 Notwithstanding any provisions of section one or three of this article to the contrary, the
2 provisions of this article do not apply to facilities providing direct patient care services that are
3 managed, directed, controlled and governed by the Secretary of the Department of Health and
4 Human Resources: *Provided*, That on or before July 1, 2020, the Legislative Auditor shall audit
5 the purchasing procedures of the facilities described in this section and report the results to the
6 Joint Committee on Government and Finance on the effects of exempting said facilities from the
7 provisions of this article, including, but not limited to, any realized cost savings and changes in
8 purchasing policies resulting from such exemption.

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.

In effect 90 days from passage.

.....
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