

WEST VIRGINIA LEGISLATURE

2019 FIRST EXTRAORDINARY SESSION

ENROLLED

House Bill 146

BY DELEGATES HANSHAW (MR. SPEAKER) AND MILEY

[BY REQUEST OF THE EXECUTIVE]

[Passed June 24, 2019; in effect ninety days from
passage.]

1 AN ACT to amend and reenact §16-53-1 of the Code of West Virginia, 1931, as amended, relating
2 substance use disorder; clarifying who is eligible to receive funds; providing the secretary
3 with discretion to decide who is eligible to funds; and removing certain limitations on
4 funding limitations.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 53. ESTABLISHING ADDITIONAL SUBSTANCE ABUSE TREATMENT
FACILITIES.**

§16-53-1. Establishment of substance use disorder treatment and recovery services.

1 (a) The Secretary of the Department of Health and Human Resources shall ensure that
2 substance use disorder treatment or recovery services, or both, are made available in locations
3 throughout the state which the department determines to be the highest priority for serving the
4 needs of the state.

5 (b) The secretary shall identify and allocate funds to appropriate facilities to provide
6 substance use disorder treatment services, which shall be provided via an inpatient or outpatient
7 service model. These facilities shall:

8 (1) Give preference to West Virginia residents;

9 (2) Accept payment from private pay patients, third person payors, or patients covered by
10 Medicaid;

11 (3) Offer treatment, based upon need;

12 (4) Work closely with the Adult Drug Court Program, provided for in §62-15-1 *et seq.* of
13 this code; and

14 (5) Be licensed by this state to provide substance use disorder treatment services.

15 (c) The secretary shall identify and allocate funds to appropriate facilities to provide
16 recovery services. Peer-led facilities shall follow standards set forth by the National Alliance for
17 Recovery Residences and offer access to peer support services.

18 (d) Other programs or projects designed to address substance use disorder, and a study
19 or studies designed to evaluate substance use prevention education programs in schools, may
20 be eligible for funding at the secretary's discretion and as funds are available.

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

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Chairman, House Committee

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Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

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Clerk of the House of Delegates

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Clerk of the Senate

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Speaker of the House of Delegates

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President of the Senate

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day of, 2019.

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Governor