

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 2034

FISCAL
NOTE

BY DELEGATES HAMRICK, PAYNTER, AND MANDT

[Introduced February 10, 2021; Referred to the
Committee on Health and Human Resources then
Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §16-5DD-1, §16-5DD-2, §16-5DD-3, §16-5DD-4, and §16-5DD-5; all relating
 3 to establishing a comprehensive substance addiction recovery center certification and
 4 grant program in this state; providing for certification criteria; providing for eligibility criteria
 5 to receive a grant; providing for ranking priorities of grant applicants; providing for grant
 6 award limitations; providing for reporting requirements of grant recipients; providing for the
 7 creation of the Comprehensive Substance Addiction Recovery Center Fund; providing for
 8 funding; providing for permitted expenditures from the fund; providing that money in the
 9 fund remains in the fund at the end of the fiscal year; and providing for an effective date.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 5DD. COMPREHENSIVE SUBSTANCE ADDICTION RECOVERY
 CENTERS.**

**§16-5DD-1. Establish the comprehensive addiction recovery center certification and grant
 program.**

1 The Bureau of Public Health shall establish:
 2 (1) A comprehensive substance addiction recovery center certification for eligible entities
 3 that meet the requirements of this article; and
 4 (2) A comprehensive substance addiction recovery center grant program for the purpose
 5 of assisting in the establishment or operation of comprehensive substance addiction recovery
 6 centers.

**§16-5DD-2. Certification criteria; criteria for eligibility to receive a grant; permitted uses of
 grant funds; priority consideration for applicants; limitation of grant awards.**

1 (a) The Bureau of Public Health may award a grant in accordance with this article for an
 2 eligible entity or group of entities working in cooperation to establish or operate a comprehensive
 3 substance addiction recovery center. In order for an entity to be certified as a comprehensive

4 substance addiction recovery center and be eligible for a grant under this article, the entity must
5 apply for the certification or grant in the manner set forth by this section and meet the following
6 requirements:

7 (1) Be credentialed to accept reimbursement through all of the following:

8 (A) A policy of accident and sickness insurance as defined in §33-28-1 et seq. of this code;

9 (B) A contract with a health maintenance organization as defined in §33-25C-1 et seq. of
10 this code;

11 (C) The West Virginia Medicaid State Plan pursuant to Title XIX of the Social Security Act
12 Medical Assistance Program;

13 (D) Mental health and addiction forensic treatment services as commonly referenced by
14 the Bureau for Behavioral Health;

15 (2) Determine that the applicant carries out or is capable of coordinating with other entities
16 to carry out the following:

17 (A) Community outreach, including:

18 (i) Train and supervise outreach staff to work with schools, workplaces, faith-based
19 organizations, the State Department of Health and Human Resources, local health departments,
20 law enforcement, and first responders to ensure awareness of the center's services;

21 (ii) Disseminate and make available online evidence-based resources that educate
22 professionals and the public on opioid use disorder and other substance use disorders;

23 (B) Treatment and recovery services, including:

24 (i) Intake and evaluation that determines the clinical needs of patients;

25 (ii) Full continuum of treatment services including all drugs approved by the United States
26 Food and Drug Administration for medication assisted treatment, including withdrawal
27 management, detoxification, and maintenance of substance use disorders;

28 (iii) Treatment services include either partial hospitalization or intensive outpatient, at least
29 one level of residential care, at least one level of inpatient or acute hospitalization, peer support

30 services, and outpatient services, including medication management and behavioral therapies,
31 recovery residences, and other services as defined by the Bureau of Public Health; and

32 (iv) Administration of an onsite pharmacy and provision of toxicology services;

33 (C) Establishment and operation of a secure and confidential electronic health information
34 system that is capable of measuring recovery outcomes, including measures of: (i) Housing and
35 employment; and (ii) any other relevant measures determined by the Bureau of Public Health;

36 (D) Partnering with community or faith-based entities to offer family support services,
37 including child-care, family counseling, and other services and defined by the Bureau of Public
38 Health;

39 (E) Partnering with entities to deliver job training and workforce readiness services; and

40 (3) Use the grant funds to establish or operate a comprehensive substance addiction
41 recovery center.

42 (b) The Bureau of Public Health shall give priority to applications by eligible entities that:

43 (1) Are geographically distributed around the state; and

44 (2) Meet other criteria or need, as determined by the bureau.

45 (c) The bureau may award at least three grants under this article.

§16-5DD-3. Reporting requirements for grant recipients.

1 (a) On July 1, 2021, each entity that is awarded a grant under this article to establish or
2 operate a comprehensive substance addiction recovery center must submit to the bureau the
3 following:

4 (1) The programs and activities funded by the grant;

5 (2) The health outcomes, including recovery measures concerning housing and
6 employment of individuals with a substance use disorder who received services from the center;

7 (3) The effectiveness of interventions designed, tested, and evaluated by the center; and,

8 (4) Any other information the bureau requires to evaluate the effectiveness of the center

9 and ensure that the center is complying with all requirements of the grant, including; (i) Providing

10 the full continuum of services; and (ii) the drugs and devices for overdose reversal.

11 (b) Any data submitted under this section that identifies any patient information of a
12 comprehensive substance addiction recovery center is confidential. However, the outcomes data
13 may be released to any board, commission, department, division, bureau, committee, agency,
14 office, instrumentality, or authority exercising any part of the executive, administrative, judicial, or
15 legislative power of the state.

§16-5DD-4. Comprehensive substance addiction recovery center fund created; funding sources; permitted expenditures.

1 (a) The Comprehensive Substance Addiction Recovery Center Fund is hereby
2 established, and the Treasurer of the state is hereby directed to create and maintain and account
3 in the State Treasury, for the purpose of carrying out this article. The fund shall be administered
4 by the Bureau of Public Health. The expenses of administering the fund shall be paid from money
5 in the fund.

6 (b) The fund shall consist of the following:

7 (1) Money appropriated to the fund from the Legislature;

8 (2) Money received from state or federal grants or programs; and

9 (3) Donations, gifts, and money received from any other source.

10 (c) The Treasurer of the state shall invest the money in the fund not currently needed to
11 meet the obligations of the fund in the same manner as other public money may be invested.
12 Interest that accrues from these investments shall be deposited into the fund.

13 (d) Any money that remains in the fund at the end of the fiscal year shall remain in the
14 fund and shall not revert to the General Revenue Fund.

15 (e) Expenditures from the fund may not be made unless the expenditure is approved by
16 the director of the bureau.

§16-5DD-5. Effective date.

1 This article will take effect on July 1, 2021.

NOTE: The purpose of this bill is to establish a comprehensive addiction recovery center certification and grant program.

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