WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

Senate Bill 209

By Senators Trump and Oliverio

[Introduced January 13, 2023; referred  
to the Committee on Banking and Insurance; and then to the Committee on Finance]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-12m, relating to personal income tax deductions; and permitting resident individuals to deduct medical expenses not reimbursed by an insurance policy.

Be it enacted by the Legislature of West Virginia:

ARTICLE 21. PERSONAL INCOME TAX.

§11-21-12m. Deduction for medical expenses not reimbursed by insurance.

For taxable years beginning on and after January 1, 2024, in addition to amounts authorized to be subtracted from federal adjusted gross income pursuant to §11-21-12 (c) of this code, any payment during the taxable year for medical expenses that are not reimbursed under a policy of insurance for accident and sickness, as defined in §33-15-2a of this code, that offers coverage to either the taxpayer, the taxpayer's spouse, parent, or a dependent as defined in section 152 of the Internal Revenue Code of 1986, as amended, is an authorized modification reducing federal adjusted gross income, but only to the extent the amount is not allowable as a deduction when arriving at the taxpayers federal adjusted gross income for the taxable year in which the payment is made.

NOTE: The purpose of this bill is to allow resident individuals to deduct medical expenses, not reimbursed by an insurance policy for accident and sickness, as personal income tax deductions.

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