

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 796

By Senator Takubo

[Introduced February 15, 2024; referred
to the Committee on Health and Human Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated, §9-5-34, relating to West Virginia Bureau for Medical Services giving
 3 preference to in-state providers of medical services; providing for exceptions; requiring
 4 policy to be implemented by specific date; requiring interim report to be submitted to the
 5 Legislative Oversight Commission on Health and Human Resources Accountability; and
 6 requiring a final report to be submitted to the Legislative Oversight Commission on Health
 7 and Human Resources Accountability by a specific date.

Be it enacted by the Legislature of West Virginia:

§9-5-34. Bureau for Medical Services to have preference for instate medical treatment.

1 The Bureau for Medical Services shall develop and implement policies for fee-for-service
 2 and managed care covered populations that prioritize West Virginia Medicaid beneficiaries
 3 receiving medical services, including hospital services, which shall utilize an instate provider:
 4 Provided, That the Bureau for Medical Services shall make accommodations in these policies for
 5 beneficiaries that receive services out of state due to services not being available in West Virginia;
 6 are not reasonably accessible instate relative to a closer out of state provider; or other factors as
 7 deemed appropriate by the Bureau for Medical Services. These policies shall be implemented no
 8 later than July 1, 2025. The Bureau shall provide the Legislative Oversight Commission on Health
 9 and Human Resources Accountability with a status report no later than December 31, 2024. A
 10 final report on the Bureau's policies, including volume of services rendered out of state and metrics
 11 that will be assessed by the Bureau to ensure the policy's effectiveness shall be submitted no later
 12 than July 1, 2025.

NOTE: The purpose of this bill is to give a preference to West Virginia providers of medical services.

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