

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

ENGROSSED

House Bill 2159

By Delegates Criss and Heckert

[Introduced February 12, 2025; Referred
to the Committee on Finance]

1 A BILL to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto a
2 new section, designated §9-5-34, relating to assessment of interest on overpayments by
3 Bureau for Medical Services; establishing interest rate and method for accrual; and
4 retention of interest received.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-34. Interest on overpayments.

1 Except where otherwise provided by law, all overpayments due to programs administered
2 by the Bureau for Medical Services shall bear interest at the rate fixed and applied under §56-6-
3 31(b) as provided in this section per annum. "Overpayment" is defined as an amount paid for
4 participation in the programs under the bureau's administration which exceeds the amount that is
5 allowable for the goods or services provided. Interest on overpayments shall be the sum of the
6 interest amounts calculated on the unpaid balance for each year or part thereof, using the interest
7 rate in effect for each respective year or part thereof. No interest shall accrue during the first thirty
8 days following the date that an overpayment determination is finalized. Thereafter, interest shall
9 accrue from the thirty-first day until the date the balance, including accrued interest, is resolved.
10 Interest collected shall be retained by the fund from which the overpayment was made.