

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 2176**

**FISCAL  
NOTE**

By Delegate Worrell

[Introduced February 12, 2025; 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; and to repeal §16B-12-3 of said code; relating to a biennial capitation  
3 rate review to be conducted by the Bureau of Medical Services.

*Be it enacted by the Legislature of West Virginia:*

## **CHAPTER 9. HUMAN SERVICES.**

### **ARTICLE 5. MISCELLANEOUS PROVISIONS.**

#### **§9-5-34. Biennial capitation rate review.**

1 (a) The Bureau of Medical Services shall conduct a biennial study reviewing the adequacy  
2 and appropriateness of the reimbursement rates to providers in the IDW, ADW, personal care  
3 services and TBI Program. The bureau shall include a recommendation for any adjustment  
4 deemed appropriate, including, but not limited to, annual inflationary costs, costs arising from  
5 amendments to existing contracts, costs relating to recruiting and retaining personnel, and any  
6 other costs necessitating additional payments to IDW, ADW, personal care services and TBI  
7 providers. The bureau may require, and contracted providers shall provide financial data to the  
8 bureau to assist in the study. Without limiting the generality of the foregoing in conducting this  
9 study, the bureau shall review and compare equivalent programs both in and out of state in order  
10 to determine appropriate rates.

11 (b) Upon completion of the study, the bureau shall provide the report to the Joint  
12 Committee of Finance beginning July 1, 2027, and biennially thereafter, on its findings,  
13 conclusions, and recommendations, together with drafts of any legislation necessary to effectuate  
14 its recommendations.

## **CHAPTER 16B. INSPECTOR GENERAL.**

### **ARTICLE 12. REGULATION OF BEHAVIORAL HEALTH.**

#### **§16B-12-3. Annual capitation rate review.**

1 [Repealed.]

NOTE: The purpose of this bill is to require the Bureau of Medical Services to conduct a biennial capitation rate review.

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