

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 3119**

By Delegates Young, Pushkin, Hamilton, Lewis,

Hansen, Williams, and Garcia

[Introduced March 04, 2025; referred to the  
Committee on Health and Human Resources then  
Finance]

1 A BILL to amend and reenact §16-5K-6 of the Code of West Virginia, 1931, as amended, relating  
 2 to professional service provided to the West Virginia Birth-to-Three program by therapists  
 3 and other professionals who are not employed by a state agency; and providing a 25  
 4 percent increase payment for those services.

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

**ARTICLE 5K. EARLY INTERVENTION SERVICES FOR CHILDREN WITH  
 DEVELOPMENTAL DELAYS.**

**§16-5K-6. West Virginia Birth-to-Three Fund.**

1 (a) There is created in the state Treasury a fund to be known as the "West Virginia Birth-to-  
 2 Three Fund" that shall be an interest-bearing account established and maintained to pay costs,  
 3 fees and expenses incurred, or to be incurred, for early intervention services for children who are  
 4 developmentally delayed.

5 (b) Funds deposited into this account shall be derived from the following sources:

6 (1) Any appropriations by the Legislature;

7 (2) Fund transfers from any fund of the divisions of the Department of Health that, in whole  
 8 or in part, supports early intervention services;

9 (3) All public funds transferred by any public agency as permitted by applicable law;

10 (4) Any private funds contributed, donated or bequeathed by corporations, individuals or  
 11 other entities; and

12 (5) All proceeds from fees paid by the client or third party payers; and

13 (6) All interest or return on investments accruing to the fund.

14 (c) Moneys deposited in this fund shall be used exclusively to provide early intervention  
 15 services to accomplish the purposes of this article. Expenditures of moneys deposited in this fund  
 16 are to be made in accordance with appropriation by the Legislature and in accordance with §12-3-  
 17 1 *et seq.* of this code and upon the fulfillment of the provisions of §5A-2-1 *et seq.* of this code:

18 *Provided*, That for the fiscal year ending June 30, 2003, expenditures are authorized from deposits  
19 rather than pursuant to appropriation by the Legislature. Beginning July 1, 2025, therapists and  
20 other professionals, who are not employees of any state agency, who have been contracted to  
21 provide services to the Birth-to-Three program, shall receive a 25 percent increase in payments  
22 for services provided.

23 (d) Any balance remaining in this fund at the end of any state fiscal year shall not revert to  
24 the state Treasury but shall remain in this fund and shall be used only in a manner consistent with  
25 this article.

NOTE: The purpose of this bill is to increase payment for professional service provided to the West Virginia Birth-to-Three program by therapists and other professionals who are not employed by a state agency by 25 percent.

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