

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

### **Committee Substitute**

**for**

### **Senate Bill 707**

BY SENATORS HELTON, THORNE, RUCKER, AND MORRIS

[Reported March 12, 2025, from the Committee on  
Health and Human Resources]



1 A BILL to amend and reenact §16-5K-6 of the Code of West Virginia, 1931, as amended, relating  
2 to professional services 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 provided in person.

*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-  
2 to-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-  
17 3-1 *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  
19 deposits rather than pursuant to appropriation by the Legislature. Beginning July 1, 2025,  
20 therapists and other professionals, who are not employees of any state agency, who have been  
21 contracted to provide services to the Birth-to-Three program, shall receive a 25 percent increase  
22 in payments for in person services provided.

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