

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

ENROLLED

House Bill 5022

BY DELEGATE WORRELL

[Passed March 12, 2026; in effect 90 days from
passage (June 10, 2026)]

1 AN ACT to amend and reenact §16B-12-3 of the Code of West Virginia, 1931, as amended,
2 relating to expanding the programs to be included in the annual capitation rate review.

Be it enacted by the Legislature of West Virginia:

ARTICLE 12. REGULATION OF BEHAVIORAL HEALTH.

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

1 (a) The Bureau for Medical Services shall conduct an annual study reviewing the
2 adequacy and appropriateness of the reimbursement rates to providers in the Intellectual and
3 Developmental Disabilities Waiver (IDDW) program, the Aged and Disable Waiver (ADW)
4 program, the Personal Care (PC) Services program, and the Traumatic Brain Injury Waiver
5 (TBIW) program. The bureau shall also include a recommendation for any adjustment deemed
6 appropriate, including, but not limited to, annual inflationary costs, costs arising from amendments
7 to existing contracts, costs relating to recruiting and retaining personnel, and any other costs
8 necessitating additional payments to IDDW providers, ADW providers, PC providers, and TBIW
9 providers. The bureau may require, and contracted providers shall provide financial data to the
10 bureau to assist in the study. Without limiting the generality of the foregoing in conducting this
11 study, the bureau shall review and compare equivalent programs both in and out of state in order
12 to determine appropriate rates.

13 (b) Upon completion of the study, Bureau for Medical Services shall provide the report to
14 the Joint Committee on Finance beginning July 1, 2024, and annually thereafter, on its findings,
15 conclusions, and recommendations, together with drafts of any legislation necessary to effectuate
16 its recommendations.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect 90 days from passage.

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Speaker of the House of Delegates

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President of the Senate

The within is this the.....
Day of, 2026.

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Governor