

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5022

By Delegate Worrell

[Introduced February 02, 2026; referred to the
Committee on Health and Human Resources]

- 1 A BILL to amend and reenact §16B-12-3 of the Code of West Virginia, 1931, as amended, relating
 2 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 ~~IDDW Program~~
 3 Intellectual and Developmental Disabilities Waiver (IDDW) program, the Aged and Disable Waiver
 4 (ADW) 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.

NOTE: The purpose of this bill is to expand the programs to be included in the annual capitation rate review to now include the Aged and Disable Waiver Program, the Personal Care Services Program, and the Traumatic Brain Injury Waiver Program.

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