

# WEST VIRGINIA LEGISLATURE

## 2026 REGULAR SESSION

Introduced

### House Bill 5343

FISCAL  
NOTE

By Delegate Pritt

[Introduced February 09, 2026; referred to the  
Committee on Health and Human Resources then  
Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
 2 designated §9-6-17, relating to disabled adults and older adults; and establishing a pilot  
 3 program to develop a medical adult day care program for older adults and adults with  
 4 disabilities who require daytime medical oversight and support but do not meet criteria for  
 5 institutional placement.

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

**ARTICLE 6. SOCIAL SERVICES FOR ADULTS.**

**§9-6-17. Medical adult day care pilot program in Fayette County, West Virginia.**

1 (a) The Legislature finds and declares that Fayette County and surrounding rural  
 2 communities face limited access to medical adult day services. As a result, families experience  
 3 caregiver strain, individuals are at higher risk for avoidable hospitalizations, and nursing facility  
 4 placement often occurs earlier than necessary. Existing home and community-based services do  
 5 not fully meet the needs of individuals who require daily medical supervision, structured  
 6 programming, and health monitoring. By creating a Medical Adult Day Care pilot program that  
 7 operates under a medical model and provides daytime nursing oversight, health monitoring,  
 8 therapeutic activities, and assistance with daily needs in a licensed facility, this program would  
 9 function as an intermediary level of care between home-based services and institutional  
 10 placement.

11 (b) The Department of Human Services shall authorize a local healthcare organization to  
 12 implement a three-year medical adult day care pilot program during the fiscal year beginning July  
 13 1, 2026, testing the feasibility of participating seniors and the access to employees. The Medical  
 14 Adult Day Care pilot program shall be located in Fayette County, provide weekday daytime  
 15 services, and employ licensed medical and administrative staff.

16 (c) Eligibility for the Medical Adult Day Care pilot program shall consist of older adults and  
 17 adults with disabilities, adults with chronic medical conditions, adults with cognitive impairment or  
 18 early to moderate dementia, and adults eligible for or at risk of requiring Medicaid-funded long-

19 term care services.

20 (d) The Department of Human Services in conjunction with the Office of Inspector General  
21 shall establish guidelines to oversee the Medical Adult Day Care pilot program.

22 (e) Upon completion of the Medical Adult Day Care pilot program, if it is determined that the  
23 project was effective in achieving the objective of supporting aging in place and community-based  
24 care, reducing unnecessary hospitalizations and emergency department utilization, delaying or  
25 preventing nursing facility placement, reducing caregiver burden, expanding rural healthcare and  
26 long-term care options, and creating a cost-effective alternative to institutional care, the  
27 Department of Human Services may authorize a similar statewide program.

28 (f) Funding shall be authorized in the range of \$750,000 to \$1,250,000 to support startup,  
29 staffing, facility readiness, and initial operations. Funding would allow the program to meet medical  
30 standards, ensure regulatory compliance, and collect outcome data. Adult day care is eligible for  
31 reimbursement with a dependent care flexible spending account if the adult is incapable of self-  
32 care and the expense allows the caregiver to work, look for work or go to school full-time, and  
33 some Medicare Advantage plans or Medicaid waivers may cover adult day care costs.

34 (g) The Department of Human Services shall report to the Legislative Oversight  
35 Commission on Health and Human Resources Accountability each year on the participation of  
36 adult day care, improved health stability for participants, reduced caregiver stress and workforce  
37 disruption, lower utilization of high-cost healthcare services, and data to inform statewide policy  
38 decisions on Medical Adult Day Care services. Following successful completion of the Medical  
39 Adult Day Care pilot program, effectiveness of the Medical Adult Day Care pilot program shall be  
40 evaluated by the Department of Human Services in consultation with the Legislative Oversight  
41 Commission on Health and Human Resources Accountability.

NOTE: The purpose of this bill is to provide a medically supervised, community based option for older adults and adults with disabilities who require daytime medical oversight and support but do not meet criteria for institutional placement.

Strike-throughs indicate language that would be stricken from a heading or the present law

and underscoring indicates new language that would be added.