

HB 4383 S

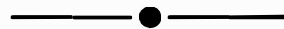
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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

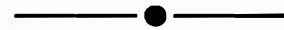
SECOND REGULAR SESSION, 2006



# ENROLLED

## House Bill No. 4383

(By Delegates Leach, Craig, Morgan and Stephens)



Passed March 9, 2006

In Effect Ninety Days from Passage

FILED

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**E N R O L L E D**

**H. B. 4383**

(BY DELEGATES LEACH, CRAIG, MORGAN AND STEPHENS)

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[Passed March 9, 2006; in effect ninety days from passage.]

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AN ACT to amend and reenact §16-29F-1 of the Code of West Virginia, 1931, as amended, relating to continuing the pilot program offered through a Community Access Program to coordinate health care provider reimbursements indefinitely as determined by the insurance commissioner.

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

That §16-29F-1 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 29F. UNINSURED AND UNDERINSURED PILOT PROGRAMS.**

**§16-29F-1. Uninsured and underinsured health coverage assistance; pilot program.**

- 1 (a) The United States Department of Health and Human
- 2 Services has established a federal grant program to encourage
- 3 innovative integrated health care delivery systems to serve
- 4 uninsured and underinsured persons with greater efficiency and
- 5 improved quality of care and to further maximize reimburse-

6 ments to health care providers which provide these services.  
7 The "Community Access Program" grants as authorized in the  
8 federal register: February 4, 2000 (volume 65, number 24),  
9 allow for the establishment of local programs to reorganize and  
10 reintegrate local health care delivery systems. This section  
11 authorizes, on a trial basis, the establishment of pilot programs  
12 in the state which receive a grant under the community access  
13 program to coordinate health care provider reimbursements, to  
14 allow an opportunity for innovations in payment for health care  
15 services to be tested and, if successful, to be permanently  
16 implemented.

17 (b) An entity receiving a community access program grant  
18 may initiate a program that comports to the federal grant  
19 requirements and meets the requirements of this section. The  
20 pilot program may enroll persons to participate in this pilot  
21 program who currently do not have insurance and whose  
22 income does not exceed two hundred fifty percent of the federal  
23 poverty level. The pilot program may coordinate payments  
24 from enrollees and businesses employing enrollees to be  
25 utilized to capture available federal moneys to assist in provid-  
26 ing reimbursements to enrollee's health care providers. The  
27 pilot program shall coordinate reimbursements limited to areas  
28 not covered by other federal reimbursement programs such as  
29 the children's health insurance agency within the Department  
30 of Administration and the Federal Medicaid Program. In no  
31 instance may the pilot program allow health care reimburse-  
32 ments to enrollees and to health care providers that limit or  
33 otherwise impede the eligibility of the enrollee or the health  
34 care provider to be eligible for these or other federal health care  
35 cost reimbursement programs.

36 (c) Notwithstanding the provisions of chapter thirty-three  
37 of this code to the contrary, any grant program created and  
38 authorized pursuant to this section is not to be considered as  
39 providing insurance or as offering insurance services. Commu-

40 nity access pilot programs are specifically excluded from the  
41 definitions of “insurance” and “insurer” as defined in article  
42 one, chapter thirty-three of this code, and except as provided in  
43 this section, these programs are not subject to regulation by the  
44 insurance commissioner, nor are they unauthorized insurers  
45 pursuant to section four, article forty-four of chapter thirty-three  
46 of this code.

47 (d) The community access pilot program is authorized to  
48 enter into agreements with health care providers to coordinate  
49 and otherwise provide services to enrollees. These agreements  
50 must be contingent on the health care provider agreeing to  
51 accept payment from the community access pilot program  
52 based on available funding to the program for the health care  
53 services being provided. If the health care provider decides to  
54 no longer accept the community access pilot program’s  
55 enrollee’s reimbursement, the health care provider must  
56 provide, at a minimum, thirty days’ notice of discontinuance of  
57 providing services and further acceptance of enrollee’s pay-  
58 ments.

59 (e) The community access pilot program must provide  
60 enrollees and the participating employer with a minimum of  
61 thirty days’ notice of discontinuance or reduction of enrollee  
62 benefits.

63 (f) The community access pilot program must submit  
64 quarterly reports to the Legislative Oversight Commission of  
65 Health and Human Resources accountability as established in  
66 article twenty-nine-e of this chapter and to the insurance  
67 commissioner. The report shall include at a minimum, analysis  
68 of the financial status, the number of health care provider  
69 reimbursements, enrollee services utilized and other informa-  
70 tion as requested by the commission and the insurance commis-  
71 sioner.

72 (g) The authorization for the existence of a pilot program as  
73 established pursuant to this section expires on the thirtieth day  
74 of June, two thousand seven, unless the insurance commissioner  
75 continues the authorization for such periods as he or she  
76 determines.


That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

  
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Chairman Senate Committee

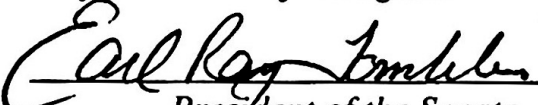
  
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Chairman House Committee

Originating in the House.

In effect ninety days from passage.

  
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Clerk of the Senate

  
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Clerk of the House of Delegates

  
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President of the Senate

  
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Speaker of the House of Delegates

The within is approved this the 4<sup>th</sup>  
day of April 2006.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 23 2006

Time 3:20 