

Senate Bill No. 363

(By Senator Cole (Mr. President))

[Introduced January 29, 2015;
referred to the Committee on
Health and Human Resources;
and then to the Committee on the Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §14-2A-19b, relating to allowing the Court of Claims to establish maximum rates and service limitations for reimbursement of health care services.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §14-2A-19b, to read as follows:

ARTICLE 2A. COMPENSATION AWARDS TO VICTIMS OF CRIMES.

§14-2A-19b. Rates and limitations for health care services.

1 The court may establish by court rule or court order maximum rates and service limitations
2 for reimbursement of health care services rendered by a physician, hospital, or other health care
3 provider. An informational copy of the maximum rates and service limitations shall be filed with
4 the Joint Committee on Government and Finance upon adoption by the court. Any change in the
5 maximum rates or service limitations shall be effective sixty days after the adoption of the changes.
6 A provider who accepts payment from the court for a service shall accept the court's rates as payment
7 in full and may not accept any payment on account of the service from any other source if the total
8 of payments accepted would exceed the maximum rate set by the court for that service. A provider

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1 may not charge a claimant for any difference between the cost of a service provided to a claimant
2 and the court's payment for that service. To ensure service limitations are uniform and appropriate
3 to the levels of treatment required by the claimant, the court may review all claims for these services
4 as necessary to ensure their medical necessity.

(NOTE: The purpose of this bill is to allow the Court of Claims to establish maximum rates and service limitations for reimbursement of health care services.

§14-2A-19b is new; therefore, strike-throughs and underscoring have been omitted.)

JUDICIARY COMMITTEE AMENDMENT

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill No. 363--A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §14-2A-19b, relating to allowing the Court of Claims to establish maximum rates and service limitations for reimbursement of health care services; requiring rates to be filed with Joint Committee on Government and Finance; setting effective date for changes to rates and limitations; prohibiting payment from other sources, as well as claimants; and authorizing court to review claims.