

# **WEST VIRGINIA LEGISLATURE**

**2016 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 68**

BY SENATORS FERNS AND TAKUBO

[Originating in the Committee on Health and Human

Resources; reported on February 3, 2016.]

1 A BILL to repeal §16-29B-19, §16-29B-19a, §16-29B-20, §16-29B-21 and §16-29B-21a of the  
2 Code of West Virginia, 1931, as amended; and to amend and reenact §16-29B-10 of said  
3 code, relating generally to powers and duties of the Health Care Authority; eliminating  
4 authority of the Health Care Authority to conduct rate review and set rates for hospitals;  
5 and eliminating antiquated studies to be conducted by the Health Care Authority.

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

1 That §16-29B-19, §16-29B-19a, §16-29B-20, §16-29B-21 and §16-29B-21a of the Code  
2 of West Virginia, 1931, as amended, be repealed; and that §16-29B-10 of said code be amended  
3 and reenacted to read as follows:

**ARTICLE 29B. HEALTH CARE AUTHORITY.**

**§16-29B-10. Jurisdiction of the board.**

1 Notwithstanding any other provision of this code or state law, after July 1, ~~1984~~ 2016, the  
2 jurisdiction of the board or authority as to rates for health services care ~~shall extend to all hospitals~~  
3 ~~as defined herein doing business in the State of West Virginia (with the exception of hospitals~~  
4 ~~owned and operated by the federal government)~~ ceases to exist.

5 ~~(b) Those costs or charges associated with individual health care providers or health care~~  
6 ~~provider groups providing inpatient or outpatient services under a contractual agreement with~~  
7 ~~hospitals (excluding simple admitting privileges) shall be under the jurisdiction of the board. The~~  
8 ~~jurisdiction of the board shall not extend to the regulation of rates of private health care providers~~  
9 ~~or health care groups providing inpatient or outpatient services under a contractual agreement~~  
10 ~~with hospitals when the provision of such service is outside the hospital setting, and shall not~~  
11 ~~extend to the regulation of rates of all other private health care providers practicing outside the~~  
12 ~~hospital setting. *Provided*, That such practice outside of the hospital setting is not found to be an~~  
13 ~~evasion of the purposes of this article.~~

NOTE: The purpose of this bill is to alter the powers and duties of the Health Care Authority.

CS for SB 68

It changes the authority of the Health Care Authority to collect from hospitals a financial obligation based upon gross revenue to amount based upon net revenue and to eliminate the authority of the Health Care Authority regarding rate review for hospitals.

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