

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Committee Substitute

for

House Bill 2420

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[Originating in the Committee on Health and Human
Resources]

1 A BILL to amend and reenact §18-2-5b of the Code of West Virginia, 1931, as amended, relating
2 to the State Board of Education and Medicaid eligible children; and providing that the state
3 board may delegate its provider status and subsequent reimbursement to regional
4 educational service agencies or county boards subject to the county board determining
5 that there is a net benefit and no detracting from the educational program of the county.

Be it enacted by the Legislature of West Virginia:

1 That §18-2-5b of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-5b. Medicaid eligible children; school health services advisory committee.

1 (a) The state board shall become a Medicaid provider and seek out Medicaid eligible
2 students for the purpose of providing Medicaid and related services to students eligible under the
3 Medicaid program and to maximize federal reimbursement for all services available under the
4 Omnibus Budget Reconciliation Act of 1989, as it relates to Medicaid expansion and any future
5 expansions in the Medicaid program for Medicaid and related services for which state dollars are
6 or will be expended. ~~Provided, That~~

7 (b) The state board may delegate this provider status and subsequent reimbursement to
8 regional educational service agencies (RESA) and/or county boards. A county board may decline
9 this designation if it determines there is not a net benefit after consideration of costs and time
10 involved with seeking Medicaid reimbursements for eligible services and that the billing process
11 does not detract from the educational program.

12 (c) Annually, no later than January 1, the state board shall report on a county by county
13 basis to the Legislature:

14 (1) The number and age of children eligible for Medicaid;

15 (2) The number and age of children with Medicaid coverage;

16 (3) The types of Medicaid eligible services provided;

17 (4) The frequency of services provided;
18 (5) The Medicaid dollars reimbursed; and
19 (6) The problems encountered in the implementation of this system. ~~and that this report~~
20 ~~shall be on a county by county basis and made available no later than January 1, 1992, and~~
21 ~~annually thereafter.~~

22 ~~(b)~~ (d) The state board shall appoint and convene a school health services advisory
23 committee to advise the Secretary of Health and Human Resources and the state superintendent
24 on ways to improve the ability of regional education service agencies, local school boards, and
25 Department of Health and Human Resources employees to provide Medicaid eligible children
26 with all the school-based Medicaid services for which they are eligible and to ensure that the
27 school-based Medicaid service providers bill for and receive all the Medicaid reimbursement to
28 which they are entitled.

29 (e) The committee shall consist of at least the following individuals:

30 (1) The person within the Department of Education responsible for coordinating the
31 provision of and billing for school-based Medicaid services in schools throughout the state, who
32 shall provide secretarial, administrative and technical support to the advisory committee;

33 (2) The person within the Department of Health and Human Resources responsible for
34 coordinating the enrollment of Medicaid eligible school children throughout the state;

35 (3) Two representatives of regional education services agencies who are experienced with
36 the process of billing Medicaid for school-based health services;

37 (4) Two Department of Health and Human Resources employees responsible for
38 supervising employees;

39 (5) Two persons jointly appointed by the secretary of health and human resources and the
40 state superintendent; and

41 (6) One representative of the Governor's task force on school health.

42 (f) The school health services advisory committee shall meet in the first instance at the

43 direction of the state superintendent, select a chairperson from among its members, and meet
44 thereafter at the direction of the chairperson. The committee shall report its findings and
45 recommendations to the state board and Department of Health and Human Resources, which
46 findings shall then be included in the report to the Legislature by the state board and Department
47 of Health and Human Resources provided for in subsection ~~(a)~~ (c) of this section.

48 (g) All actual and necessary travel expenses of the members of the committee shall be
49 reimbursed by the member's employing agency, for those members not employed by a state
50 agency, the member's actual and necessary travel expenses shall be paid by the state board. All
51 such expenses shall be reimbursed in the same manner as the expenses of state employees are
52 reimbursed.

NOTE: The purpose of this bill is to provide that State Board of Education may delegate its Medicaid provider status and subsequent reimbursement to regional educational service agencies or county boards subject to the county board determining that there is a net benefit and no detraction from the educational program of the county.

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