

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2955

BY DELEGATES CRISS, PUSHKIN, ROBINSON,
SWARTZMILLER, WILSON, ESTEP-BURTON AND PYLES

[Introduced February 11, 2019; Referred
to the Committee on Health and Human Resources.]

1 A BILL to amend and reenact §9-4-3 of the Code of West Virginia, 1931, as amended, relating to
 2 adding one member to the Medicaid Advisory Panel from the West Virginia Chiropractic
 3 Society.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 4. STATE ADVISORY BOARD; MEDICAL SERVICES FUND; ADVISORY
 COUNCIL; GENERAL RELIEF FUND.**

§9-4-3. Advisory council.

1 (a) The advisory council, created by chapter 143, Acts of the Legislature, regular session,
 2 1953, as an advisory body to the state Medicaid Agency with respect to the medical services fund
 3 and disbursements therefrom and to advise about health and medical services, is continued so
 4 long as the medical services fund remains in existence, and thereafter so long as the state
 5 Medicaid Agency considers the advisory council to be necessary or desirable, and it is organized
 6 as provided by this section and applicable federal law and has those advisory powers and duties
 7 as are granted and imposed by this section and elsewhere by law.

8 (b) The advisory council shall consist of not less than nine members, nor more than 15
 9 members, all but four of whom shall be appointed by the state Medicaid Agency and serve until
 10 replaced or reappointed on a rotating basis.

11 (c)(1) The heads of the Bureau of Public Health and Bureau for Medical Services are
 12 members ex officio.

13 (2) The cochairs of the Legislative Oversight Commission on Health and Human
 14 Resources Accountability, or their designees, are nonvoting ex officio members.

15 (3) The remaining members comprising the council consist of:

16 (A) One member of recognized ability in the field of medicine and surgery with respect to
 17 whose appointment the state Medical Association shall be afforded the opportunity of making
 18 nomination of three qualified persons;

19 (B) One member of recognized ability in the field of dentistry with respect to whose
20 appointment the state Dental Association shall be afforded the opportunity of nominating three
21 qualified persons;

22 (C) One member chosen from a list of three persons nominated by the West Virginia
23 Primary Care Association;

24 (D) One member chosen from a list of three persons nominated by the Behavioral Health
25 Providers Association of West Virginia; and

26 ~~(E) The remaining members chosen from persons of recognized ability in the fields of~~
27 ~~hospital administration, nursing and allied professions and from consumers groups, including~~
28 ~~Medicaid recipients, members of the West Virginia Directors of Senior and Community Services,~~
29 ~~labor unions, cooperatives and consumer-sponsored prepaid group practices plans~~ One member
30 chosen from a list of three persons nominated by the West Virginia Chiropractic Society; and

31 (F) The remaining members chosen from persons of recognized ability in the fields of
32 hospital administration, nursing and allied professions and from consumers groups, including
33 Medicaid recipients, members of the West Virginia Directors of Senior and Community Services,
34 labor unions, cooperatives and consumer-sponsored prepaid group practices plans.

35 (d) The council shall meet on call of the state Medicaid Agency.

36 (e) Each member of the advisory council shall receive reimbursement for reasonable and
37 necessary travel expenses for each day actually served in attendance at meetings of the council
38 in accordance with the state's travel regulations. Requisitions for the expenses shall be
39 accompanied by an itemized statement, which shall be filed with the Auditor and preserved as a
40 public record.

41 (f) The advisory council shall assist the state Medicaid Agency in the establishment of
42 rules, standards and bylaws necessary to carry out the provisions of this section and shall serve
43 as consultants to the state Medicaid Agency in carrying out the provisions of this section.

NOTE: The purpose of this bill is to add one member to the Medicaid Advisory Panel from a list of three persons nominated by the West Virginia Chiropractic Society.

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