

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4059

BY DELEGATES HILL, PACK, BATES, AND FLEISCHAUER

[Introduced January 08, 2020; Referred to the
Committee on Health and Human Resources]

1 A BILL to repeal §16-2B-3 and 16-2B-4 of the Code of West Virginia, 1931, as amended; and to
 2 amend and reenact §16-2B-1 of said code, all relating to increasing access to long acting
 3 reversible contraception.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2B. FAMILY PLANNING AND CHILD SPACING.

§16-2B-1. Family planning and child spacing; authorized functions; funds.

1 (a) The state department of health Bureau for Public Health is authorized to provide printed
 2 material, guidance, advice, financial assistance, appliances, devices, drugs, approved methods,
 3 and medicines to local boards of health requesting the same for use in the operation of family
 4 planning and child spacing clinics to the extent of funds appropriated by the Legislature and any
 5 federal funds made available for such purpose.

6 (b) The Bureau for Medical Services shall ensure that multiple office visits for a woman
 7 who selects the long acting reversible contraception (LARC) methods is not required. The Bureau
 8 for Medical Services shall provide payment for replacement or reinsertion when necessary.

9 (c) If a practitioner supplies the LARC, the practitioner may also bill for the device and
 10 shall be reimbursed the full cost of the LARC. The bureau shall make these products available in
 11 physician offices without upfront physician costs. Prior authorization for LARC devices or
 12 procedures are prohibited. A managed care company contracted with the Bureau of Medical
 13 Services shall perform a training for providers who offer family planning services on the
 14 professional guidelines for LARC methods. The Bureau for Medical Services shall update the
 15 managed care contract to include language that provider policies/protocols shall not present
 16 barriers that delay or prevent access, such as prior authorizations or step-therapy failure
 17 requirements; and that clients should receive education and counseling on all FDA approved birth
 18 control methods from most effective to least effective, and have the option to choose the preferred
 19 birth control method that is most appropriate for them.

§16-2B-3. State and local health and welfare agency employees to advise indigent and

medically indigent of availability of services; compulsory acceptance of services prohibited; acceptance not condition to receiving other services and benefits.

1 {Repealed.]

§16-2B-4. Exemption of employees from offering services when such duty is contrary to religious beliefs.

1 [Repealed.]

NOTE: The purpose of this bill is to increase access to long acting reversible contraception.

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