

# **WEST VIRGINIA LEGISLATURE**

**2020 REGULAR SESSION**

**Enrolled**

**Committee Substitute**

**for**

**Senate Bill 288**

SENATOR TARR, *original sponsor*

[Passed March 7, 2020; in effect 90 days from  
passage]



1 AN ACT to amend and reenact §16-2B-1 of the Code of West Virginia, 1931, as amended, relating  
2 to family planning; extending family planning resources provided by Bureau for Public  
3 Health to other entities; providing that Bureau for Medical Services shall not require  
4 multiple office visits for women who select long-acting reversible contraceptive methods  
5 unless medically necessary; requiring Bureau for Medical Services to provide payments;  
6 requiring Bureau for Medical Services to update managed care contract; authorizing  
7 Bureau for Public Health to make long-acting reversible contraceptive products available  
8 in practitioner offices without upfront practitioner costs; requiring Bureau for Public Health  
9 to develop statewide plan; providing requirements for plan; and requiring an annual report  
10 by Department of Health and Human Resources.

*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 Bureau for Public Health may provide printed material, guidance, advice, financial  
2 assistance, appliances, devices, drugs, approved methods, and medicines to local boards of  
3 health and other entities requesting the same for use in the operation of family planning and child  
4 spacing clinics to the extent of funds appropriated by the Legislature and any federal funds made  
5 available for such purpose.

6 (b) The Bureau for Medical Services shall not require multiple office visits or prior  
7 authorization for a woman who selects long-acting reversible contraceptive (LARC) methods  
8 unless medically necessary. The bureau shall provide payment for LARC devices and their  
9 insertion, maintenance, removal, and replacement. The Bureau for Medical Services shall update  
10 the managed care contract to include language that the contracted managed care company may  
11 not present barriers that delay or prevent access, such as prior authorizations or step-therapy  
12 failure requirements; and should receive patient-centered education and counseling on all FDA-  
13 approved birth control methods.

14           (c) The Bureau for Public Health may make LARC products available in practitioner offices  
15 without upfront practitioner costs.

16           (d) The Bureau for Public Health shall develop a statewide plan with the goal of reducing  
17 exposure of a fetus to illicit substances by increasing the number of clients served and enabling  
18 access to LARC and other family planning methods. The plan shall include strategies for  
19 increasing LARC accessibility and training of health care providers, and shall provide a fiscal  
20 analysis of plan implementation and potential impact.

21           (e) The Department of Health and Human Resources shall report annually to the  
22 Legislative Oversight Commission on Health and Human Resources Accountability. The report  
23 shall include, at a minimum, the number of LARC treatments provided and the number of children  
24 born with intrauterine substance exposure and neonatal abstinence syndrome in West Virginia  
25 during the past three years.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, Senate Committee*

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*Chairman, House Committee*

Originated in the Senate.

In effect 90 days from passage.

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*Clerk of the Senate*

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*Clerk of the House of Delegates*

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*President of the Senate*

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*Speaker of the House of Delegates*

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The within ..... this the.....  
Day of ....., 2020.

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*Governor*