WEST virginia legislature

2022 regular session

Committee Substitute

for

Senate Bill 528

By Senators Blair (Mr. President) and Baldwin  
(By Request of the Executive)

[Originating in the Committee on Finance; reported on February 9, 2022]

A BILL supplementing and amending the appropriations of public moneys out of the State Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Health and Human Resources, Consolidated Medical Services Fund, fund 0525, fiscal year 2022, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022.

Whereas, The Governor submitted the Executive Budget Document to the Legislature on January 12, 2022, containing a Statement of the State Fund, General Revenue, setting forth therein the cash balance as of July 1, 2021, and further included the estimate of revenue for the fiscal year 2022, less net appropriation balances forwarded and regular and surplus appropriations for the fiscal year 2022, and further included recommended expirations to the unappropriated surplus balance of the State Fund, General Revenue; and

Whereas, It appears from the Governor’s Statement of the State Fund, General Revenue, there now remains an unappropriated surplus balance in the State Treasury which is available for appropriation during the fiscal year ending June 30, 2022; therefore

Be it enacted by the Legislature of West Virginia:

That the total appropriation for the fiscal year ending June 30, 2022, to fund 0525, fiscal year 2022, organization 0506, be supplemented and amended by reading as follows:

Title II – Appropriations.

Section 1. Appropriations from general revenue.

**DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

*58 – Consolidated Medical Services Fund*

(WV Code Chapter 16)

Fund 0525 FY 2022 Org 0506

**General**

**Appro- Revenue**

**priation Fund**

1. Personal Services and Employee Benefits 00100 $ 1,632,588
2. Current Expenses 13000 14,113
3. Jobs & Hope 14902 0
4. Behavioral Health Program (R) 21900 71,671,175
5. Institutional Facilities Operations (R) 33500 147,729,180
6. Substance Abuse Continuum of Care (R) 35400 1,840,000
7. Institutional Facilities Operations – Surplus (R) 63200 15,625,000
8. Capital Outlay and Maintenance (R) 75500 950,000
9. BRIM Premium 91300 1,296,098

Total $ 225,133,154

Any unexpended balances remaining in the appropriations for Jim’s Dream (fund 0525, appropriation 14901), Behavioral Health Program (fund 0525, appropriation 21900), Institutional Facilities Operations (fund 0525, appropriation 33500), Institutional Facilities Operations – Surplus (fund 0525, appropriation 63200), Substance Abuse Continuum of Care (fund 0525, appropriation 35400), and Capital Outlay and Maintenance (fund 0525, appropriation 75500) at the close of the fiscal year 2021 are hereby reappropriated for expenditure during the fiscal year 2022.

Notwithstanding the provisions of Title I, section three of this bill, the secretary of the Department of Health and Human Resources shall have the authority to transfer funds within the above appropriations: *Provided,* That no more than five percent of the funds appropriated to one appropriation may be transferred to other appropriations: *Provided, however,* That no funds from other appropriations shall be transferred to the personal services and employee benefits appropriation.

Included in the above appropriation for Behavioral Health Program (fund 0525, appropriation 21900) is $100,000 for the Healing Place of Huntington.

The above appropriation for Institutional Facilities Operations (fund 0525, appropriation 33500) contains prior year salary increases due to the Hartley court order in the amount of $2,202,013 for William R. Sharpe Jr. Hospital, and $2,067,984 for Mildred Mitchel-Bateman Hospital.

From the above appropriation for Substance Abuse Continuum of Care (fund 0525, appropriation 35400), the funding will be consistent with the goal areas outlined in the Comprehensive Substance Abuse Strategic Action Plan.

Additional funds have been appropriated in fund 5156, fiscal year 2022, organization 0506, for the operation of the institutional facilities. The secretary of the Department of Health and Human Resources is authorized to utilize up to 10 percent of the funds from the Institutional Facilities Operations appropriation to facilitate cost effective and cost saving services at the community level.