

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**Introduced**

### **Senate Bill 95**

**FISCAL  
NOTE**

BY SENATOR SMITH

[Introduced January 12,2022; referred  
to the Committee on Health and Human Resources;  
and then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §9-5-29; to amend said code by adding thereto a new section, designated §26-  
 3 5-2; and to amend said code by adding thereto a new section, designated §26-9-3, all  
 4 relating to providing long-term care and substance abuse treatment; authorizing the  
 5 Secretary of the Department of Health and Human Resources to modernize or build new  
 6 facilities; requiring certified beds for long-term care and substance abuse treatment;  
 7 requiring facilities for out-patient substance abuse treatment; requiring the hiring of  
 8 adequate professional classified staff; and replacing an outdated reference to Pinecrest  
 9 Hospital with the correct name of Jackie Withrow Hospital.

*Be it enacted by the Legislature of West Virginia:*

## **CHAPTER 9. HUMAN SERVICES.**

### **ARTICLE 5. MISCELLANEOUS PROVISIONS.**

#### **§9-5-29. Long- term care and substance abuse treatment.**

1 (a) The Legislature finds and declares that due to the critical needs of an aging population  
 2 and to treat substance abuse in this state, it is necessary for the state to maintain adequate  
 3 facilities and provide certain services to meet the health care needs of our citizens.

4 (b) The Secretary of the Department of Health and Human Resources shall, on or before  
 5 July 1, 2022, plan and contract for the modernization or construction of new facilities on the  
 6 grounds of Jackie Withrow Hospital and Hopemont State Hospital pursuant to §26-5-1 et seq. and  
 7 §26-9-1 et seq. of this code.

## **CHAPTER 26. STATE BENEVOLENT INSTITUTIONS.**

### **ARTICLE 5. JACKIE WITHROW HOSPITAL.**

#### **§26-5-2. Long-term care and substance abuse treatment.**

1 (a) On or before July 1, 2022, the Secretary of the Department of Health and Human  
 2 Resources shall plan and contract for the modernization of Jackie Withrow Hospital in Beckley,

3 or shall plan and contract for the construction of an adequate long-term care facility and substance  
4 abuse treatment center to be located on the grounds of Jackie Withrow Hospital in Beckley.

5 (b) The modernized or new facility shall be called “Jackie Withrow Hospital” and shall have  
6 not less than 200 certified beds for longer term care, and not less than 100 certified beds for  
7 inpatient substance abuse treatment. The facility shall be modernized or constructed to also have  
8 adequate space and treatment rooms to provide substance abuse outpatient services to the  
9 community.

10 (c) The secretary shall hire adequate full time professional staff for the facility who are  
11 trained in long-term care and substance abuse treatment and who shall be classified employees.  
12 Staffing levels shall be maintained so that the facility is fully operational and functional 24 hours  
13 a day for each day of the year and full staffing levels shall be maintained while accounting for staff  
14 utilization of leave and other benefits.

## **ARTICLE 9. HOPEMONT STATE HOSPITAL.**

### **§26-9-3. Long-term care and substance abuse treatment.**

1 (a) On or before July 1, 2022, the Secretary of the Department of Health and Human  
2 Resources shall plan and contract for the modernization of Hopemont Hospital in Tera Alta, or  
3 shall plan and contract for the construction of an adequate long-term care facility and substance  
4 abuse treatment center to be located on the grounds of Hopemont Hospital in Tera Alta.

5 (b) The modernized or new facility shall be called “Hopemont Hospital” and shall have not  
6 less than 100 certified beds for longer term care, and not less than 100 certified beds for inpatient  
7 substance abuse treatment. The facility shall be modernized or constructed to also have adequate  
8 space and treatment rooms to provide substance abuse outpatient services to the community.

9 (c) The secretary shall hire adequate full time professional staff for the facility who are  
10 trained in long-term care and substance abuse treatment and who shall be classified employees.  
11 Staffing levels shall be maintained so that the facility is fully operational and functional 24 hours  
12 a day for each day of the year and full staffing levels shall be maintained while accounting for staff

13 utilization of leave and other benefits.

NOTE: The purpose of this bill is to require the Secretary of the Department of Health and Human Resources to modernize or construct new facilities at Hopemont and Jackie Withrow Hospitals to provide long-term care and substance abuse treatment to address critical needs of the citizens of this state.

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