

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 311

By Senator Rucker

[Introduced January 12, 2024; referred
to the Committee on Banking and Insurance; 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 §5-16-7h; to amend said code by adding thereto a new section, designated §9-
 3 5-34; to amend said code by adding thereto a new section, designated §33-15-4x; to
 4 amend said code by adding thereto a new section, designated §33-16-4ww; to amend said
 5 code by adding thereto a new section, designated §33-24-7xx; to amend said code by
 6 adding thereto a new section, designated §33-25-8v; and to amend said code by adding
 7 thereto a new section, designated §33-25A-8xx, all relating to requiring the Public
 8 Employees Insurance Agency, the Bureau for Medical Services, and various insurance
 9 companies to provide coverage for non-stress fetal tests, including an ultrasound;
 10 including coverage for tests performed remotely in a residence; and providing
 11 reimbursement by the Public Employees Insurance Agency, the Bureau of Medical
 12 Services, and the health insurer for the covered service.

Be it enacted by the Legislature of West Virginia:

**CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE
 GOVERNOR, SECRETARY OF STATE AND ATTORNEY GENERAL;
 BOARD OF PUBLIC WORKS; MISCELLANEOUS AGENCIES,
 COMMISSIONS, OFFICES, PROGRAMS, ETC.**

ARTICLE 16. WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT.

§5-16-7h. Coverage for non-stress fetal tests.

1 The West Virginia Public Employees Agency shall provide coverage for fetal non-stress
 2 tests, including an ultrasound. This coverage shall additionally include fetal non-stress tests,
 3 including an ultrasound, performed remotely in a residence or other off-site location through
 4 telehealth. The Public Employees Insurance Agency shall provide reimbursement for the services
 5 established pursuant to this section.

CHAPTER 9. HUMAN SERVICES.

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-34. Coverage for non-stress fetal tests.

1 The West Virginia Bureau for Medical Services shall provide coverage for fetal non-stress
2 tests, including an ultrasound. This coverage shall additionally include fetal non-stress tests,
3 including an ultrasound, performed remotely in a residence or other off-site location through
4 telehealth. The Bureau for Medical Services shall provide reimbursement for the services
5 established pursuant to this section.

CHAPTER 33. INSURANCE.

ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.

§33-15-4x. Coverage for non-stress fetal tests.

1 The health insurers covered pursuant to this article shall provide coverage for fetal non-
2 stress tests, including an ultrasound. This coverage shall additionally include fetal non-stress
3 tests, including an ultrasound, performed remotely in a residence or other off-site location through
4 telehealth. The health insurer shall provide reimbursement for the services established pursuant
5 to this section.

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.

§33-16-4ww. Coverage for non-stress fetal tests.

1 The health insurers covered pursuant to this article shall provide coverage for fetal non-
2 stress tests, including an ultrasound. This coverage shall additionally include fetal non-stress
3 tests, including an ultrasound, performed remotely in a residence or other off-site location through
4 telehealth. The health insurer shall provide reimbursement for the services established pursuant
5 to this section.

ARTICLE 24. HOSPITAL SERVICE CORPORATIONS, MEDICAL SERVICE CORPORATIONS, DENTAL SERVICE CORPORATIONS AND HEALTH SERVICE CORPORATIONS.

§33-24-7xx. Coverage for non-stress fetal tests.

1 The health insurers covered pursuant to this article shall provide coverage for fetal non-
2 stress tests, including an ultrasound. This coverage shall additionally include fetal non-stress
3 tests, including an ultrasound, performed remotely in a residence or other off-site location through
4 telehealth. The health insurer shall provide reimbursement for the services established pursuant
5 to this section.

ARTICLE 25. HEALTH CARE CORPORATIONS.

§33-25-8v. Coverage for non-stress fetal tests.

1 The health insurers covered pursuant to this article shall provide coverage for fetal non-
2 stress tests, including an ultrasound. This coverage shall additionally include fetal non-stress
3 tests, including an ultrasound, performed remotely in a residence or other off-site location through
4 telehealth. The health insurer shall provide reimbursement for the services established pursuant
5 to this section.

ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.

§33-25A-8xx. Coverage for non-stress fetal tests.

1 The health insurers covered pursuant to this article shall provide coverage for fetal non-
2 stress tests, including an ultrasound. This coverage shall additionally include fetal non-stress
3 tests, including an ultrasound, performed remotely in a residence or other off-site location through
4 telehealth. The health insurer provide reimbursement for the services established pursuant to this
5 section.

NOTE: The purpose of this bill is to require the Public Employees Insurance Agency (PEIA), the Bureau for Medical Services (BMS) and various insurance companies to provide

coverage for non-stress fetal tests, including an ultrasound. This coverage also includes tests performed remotely in a residence. There shall also be reimbursement by PEIA, BMS and the health insurer for the covered service.

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