

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 793

By Senator Maroney

[Introduced February 14, 2024; 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 §9-5-34, relating to requiring contract terms for managed care contracts with
 3 the Bureau for Medical Services; requiring a single Dental Contractor for benefit
 4 management; describing contract changes; and setting an effective date.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. MISCELLANEOUS PROVISIONS.
§9-5-34. Managed care organization subcontractors.

1 (a) Notwithstanding any provision of this code to the contrary, managed care organizations
 2 shall employ the services of a Dental Contractor serving as a dental benefit manager or utilization
 3 review agent.

4 (b) Such a manager or agent must cover the adult dental benefit equivalent to the
 5 contractual provisions requirements outlined in the Model Purchase of Service Provider
 6 Agreement with the Bureau of Medical Services.

7 (c) Such subcontracts must comply with the requirements of 42 CFR §434.6 and 42 CFR
 8 §438.230.

9 (d) Effective July 1, 2024, any newly executed managed care organization contract shall
 10 include a requirement that all managed care organizations subcontract jointly with a single Dental
 11 Contractor serving as a dental benefit manager or utilization review agent.

12 (e) Effective July 1, 2024, a change order is required for any existing contract for managed
 13 care services with the Bureau of Medical Services. Such change order shall incorporate into the
 14 contract the required contractual provisions as set forth in this section.

NOTE: The purpose of this bill is to require contract terms for managed care contracts with the Bureau for Medical Services; requires the services of a Dental Contractor serving as a dental benefit manager or utilization review agent; requires managed care organizations to subcontract jointly with a single Dental Contractor serving as a dental benefit manager or utilization review agent; setting an effective date; and requiring contract change orders in certain circumstances.

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