

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 2159

FISCAL
NOTE

By Delegates Criss and Heckert

[Introduced February 12, 2025; referred
to the Committee on Finance]

1 A BILL to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto a
 2 new section, designated §9-5-34, relating to assessment of interest on overpayments by
 3 Bureau for Medical Services; establishing interest rate and method for accrual; and
 4 retention of interest received.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-34. Interest on overpayments.

1 Except where otherwise provided by law, all overpayments due to programs administered
 2 by the Bureau for Medical Services shall bear interest at the rate fixed and applied under §56-6-
 3 31(b) as provided in this section per annum. "Overpayment" is defined as an amount paid for
 4 participation in the programs under the bureau's administration which exceeds the amount that is
 5 allowable for the goods or services provided. Interest on overpayments shall be the sum of the
 6 interest amounts calculated on the unpaid balance for each year or part thereof from the date that
 7 an overpayment determination is finalized to the date the balance including accrued interest is
 8 resolved, using the interest rate in effect for each respective year or part thereof. Interest collected
 9 shall be retained by the fund from which the overpayment was made.

NOTE: The purpose of this bill is to provide for the assessment of interest on overpayments by the Bureau for Medical Services; establishing an interest rate and method for accrual; and the retention of interest received.

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