

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 2457

By Delegates Horst, Funkhouser, Hornby, Sheedy,
Heckert, Masters, Worrell, Jeffries, Crouse, White,
and Bridges

[Introduced February 17, 2025; referred to the
Committee on Health and Human Resources]

1 A BILL to amend and reenact the Code of West Virginia, 1931, as amended, by inserting thereto
 2 two new sections, designated §15-17-10 and §16-67-1; relating to requiring political
 3 subdivisions and the Department of Health to collect and report data regarding costs to
 4 treat undocumented immigrants.

Be it enacted by the Legislature of West Virginia:

CHAPTER 15. PUBLIC SAFETY.

ARTICLE 16. FEDERAL IMMIGRATION ENFORCEMENT.

§15-16-10. The Saving Citizens' Resources Act.

1 (a) Each political subdivision of this state, as defined in §29-12A-3, shall declare, on a
 2 quarterly basis, the amount of money that it spent on housing, sheltering, feeding, transporting,
 3 and education noncitizen immigrants who reside in its jurisdiction and who do not possess a
 4 Permanent Resident Card, work visa, or student visa, or who are otherwise undocumented.

5 (b) All county commissions and city councils shall report on their expense accounts any
 6 expenditures or spending on persons within their jurisdictions who do not possess a Permanent
 7 Resident Card, work visa, or student visa, or who are otherwise undocumented and who are
 8 receiving county or city resources. The report shall include the dates, amounts, purposes of the
 9 funding, and the frequency of receipt.

10 (c) Any county or city found to be noncompliant in this requirement shall be found to be in
 11 violation of this state's laws against sanctuary cities, including, but not limited to, the provisions of
 12 this article.

ARTICLE 67. IMMIGRATION DATA.

§16-67-1. Patient immigration status data collection.

1 (1) Each hospital that accepts Medicaid must include a provision on its patient admission
 2 or registration forms for the patient or the patient's representative to state or indicate whether the
 3 patient is a United States citizen or lawfully present in the United States or is not lawfully present in

4 the United States. The inquiry must be followed by a statement that the response will not affect
5 patient care or result in a report of the patient's immigration status to immigration authorities.

6 (2) Each hospital must submit a quarterly report to the department within 30 days after the
7 end of each calendar quarter which reports the number of hospital admissions or emergency
8 department visits within the previous quarter which were made by a patient who indicated that he
9 or she was a citizen of the United States or lawfully present in the United States, was not lawfully
10 present in the United States, or declined to answer.

11 (3) By March 1 of each year, the department shall submit a report to the Governor, the
12 President of the Senate, and the Speaker of the House of Delegates which includes the total
13 number of hospital admissions and emergency department visits for the previous calendar year for
14 which the patient or patient's representative reported that the patient was a citizen of the United
15 States or lawfully present in the United States, was not lawfully present in the United States, or
16 declined to answer. The report must also describe information relating to the costs of
17 uncompensated care for aliens who are not lawfully present in the United States, the impact of
18 uncompensated care on the cost or ability of hospitals to provide services to the public, hospital
19 funding needs, and other related information.

20 (4) The department may adopt rules relating to the format and information to be contained
21 in quarterly reports and the acceptable formats for hospitals to use in requesting information
22 regarding a patient's immigration status on hospital admission or registration forms. The rules may
23 not require the disclosure of patient names or any other personal identifying information to the
24 department.

NOTE: The purpose of this bill is to require political subdivisions and the Department of Health to collect and report data regarding the cost of treating undocumented immigrants.

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