

VIRGINIA ACTS OF ASSEMBLY -- 2012 SESSION

CHAPTER 137

An Act to amend and reenact § 32.1-324 of the Code of Virginia, relating to the Board of Medical Assistance Services.

[H 184]

Approved March 7, 2012

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-324 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-324. Board of Medical Assistance Services.

A. Notwithstanding the provisions of Chapter 1 (§ 32.1-1 et seq.) of this title, there shall be a State Board of Medical Assistance Services hereinafter referred to as the Board. The Board shall consist of eleven residents of the Commonwealth, *to be appointed by the Governor as follows*: five of whom ~~are~~ shall be health care providers and six of whom ~~are not~~, all ~~to be appointed by the Governor~~ shall not; *of these six, at least two shall be individuals with significant professional experience in the detection, investigation, or prosecution of health care fraud.* Any vacancy on the Board, other than by expiration of term, shall be filled by the Governor for the unexpired portion of the term. No person shall be eligible to serve on the Board for more than two full consecutive terms. Appointments ~~to the Board shall be made in 1989 to establish staggered terms as follows: two appointments for a term of one year, three appointments for a term of two years, three appointments for a term of three years, and three appointments for a term of four years.~~ Subsequent appointments shall be made for terms of four years each, except that appointments to fill vacancies shall be made for the unexpired terms. The Board shall meet at such times and places as it shall determine. It shall elect from its members a chairman who shall perform the usual duties of such office. The Board shall submit biennially a written report to the Governor and the General Assembly.

B. The Director shall be the executive officer of the Board but shall not be a member thereof.

C. The Director shall be vested with all the authority of the Board when it is not in session, subject to such rules and regulations as may be prescribed by the Board.

2. That in order to fulfill the provisions of this act, the next two appointments of non-health care providers after the effective date of this act shall be individuals with significant professional experience in the detection, investigation, or prosecution of health care fraud.