

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

**Introduced**

## **House Bill 2440**

BY DELEGATE FOSTER

[Introduced February 13, 2021; Referred to the  
Committee on Government Organization]

1 A BILL to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating  
 2 to authorizing the Department of Health and Human Resources to promulgate a legislative  
 3 rule relating to procedure to contest the substantiation of child abuse or neglect.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 5. AUTHORIZATION FOR DEPARTMENT OF HEALTH AND HUMAN  
 RESOURCES TO PROMULGATE LEGISLATIVE RULES.**

**§64-5-1. Department of Health and Human Resources.**

1 The legislative rule filed in the State Register on August 26, 2020, authorized under the  
 2 authority of §49-4-601b of this code, modified by the Department of Health and Human Resources  
 3 to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State  
 4 Register on December 15, 2020, relating to the Department of Health and Human Resources  
 5 (procedure to contest the substantiation of child abuse or neglect, [78 CSR 27](#)), is authorized.

NOTE: The purpose of this bill is to authorize the Department of Health and Human Resources to promulgate a legislative rule relating to procedure to contest the substantiation of child abuse or neglect.

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