

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 2967

BY DELEGATES PUSHKIN AND WALKER

[Introduced March 08, 2021; Referred to the
Committee on Health and Human Resources then the
Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §9-5-28, relating to permitting certain felons to work in licensed behavioral
 3 health facilities; setting conditions and limitations; and requiring rule-making.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-28. Authorizing persons convicted of a felony to be employed at behavioral health facilities; limitations; rule-making.

1 Notwithstanding any provision of this code to the contrary, upon completion of his or her
 2 criminal sentence, any person convicted of nonviolent felony is eligible for employment at a
 3 behavioral health facility, conditioned on rules promulgated pursuant to this section. The
 4 department shall propose rules for legislative approval, in accordance with §29A-3-1 et seq. of
 5 this code, necessary to establish eligibility criteria and provide for any conditions and limitations
 6 on employment necessary to provide for the safety of patients and other employees at the facility:
 7 Provided, That the provisions of this section do not supersede licensing requirements for any
 8 professions regulated pursuant to chapter 30 of this code.

NOTE: The purpose of this bill is to permit certain felons to work in licensed behavioral health facilities. The bill sets conditions and limitations. The bill requires rule-making.

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