

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

Senate Bill 692

BY SENATORS BALDWIN, RUCKER, LINDSAY, STOLLINGS,

WOELFEL, AND CAPUTO

[Introduced February 21, 2022; referred
to the Committee on Health and Human Resources]

1 A BILL to amend and reenact §49-2-809 of the Code of West Virginia, 1931, as amended, all
 2 relating to expanding the required reporting procedures by the Department of Health and
 3 Human Resources to include forwarding the report of any child abuse and neglect of a
 4 mandatory reporter to the Community Services Manager of the county.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-809. Reporting procedures.

1 (a) Reports of child abuse and neglect pursuant to this article shall be made immediately
 2 to the department of child protective services by a method established by the department,
 3 *Provided*, That if the method for reporting is web-based, the Department of Health and Human
 4 Resources shall maintain a system for addressing emergency situations that require immediate
 5 attention and shall be followed by a written report within 48 hours if so requested by the receiving
 6 agency. The state department shall establish and maintain a 24-hour, seven-day-a-week
 7 telephone number to receive calls reporting suspected or known child abuse or neglect: *Provided*,
 8 *however*, That any report of child abuse and neglect by a mandatory reporter, as that term is
 9 defined in this article, shall, in addition to any other method utilized by the Department of Health
 10 and Human Resources, be forwarded to the Community Services Manager (CSM) of the county
 11 wherein the abuse and neglect occurred.

12 (b) A copy of any report of serious physical abuse, sexual abuse, or assault shall be
 13 forwarded by the department to the appropriate law-enforcement agency, the prosecuting
 14 attorney, or the coroner or medical examiner’s office. All reports under this article are confidential.
 15 Reports of known or suspected institutional child abuse or neglect shall be made and received as
 16 all other reports made pursuant to this article.

NOTE: The purpose of this bill is to require DHHR to also forward a report of child abuse and neglect by a mandatory reporter to the county CSM.

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