

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

Senate Bill 654

By Senator Maroney

[Introduced February 16, 2023; referred
to the Committee on Health and Human Resources]

1 A BILL to amend and reenact §9-8-4 of the Code of West Virginia, 1931, as amended, relating to
 2 eligibility verification for applicants for public assistance; requiring cooperation with child
 3 support enforcement as a condition of eligibility for public assistance; and authorizing
 4 rulemaking.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. ELIGIBILITY AND FRAUD REQUIREMENTS FOR PUBLIC ASSISTANCE.

§9-8-4. Eligibility verification.

1 (a) All applications for benefits must be processed through a system as set forth in this
 2 article. Complete applications, including the interview, shall be processed within 10 days of receipt
 3 or the maximum period required by federal law. Prior to determining eligibility, the department shall
 4 access information for every applicant from federal, state, and other sources: *Provided*, That such
 5 the access does not violate any federal law.

6 (b) The department shall require individuals, who are noncustodial parents, to cooperate
 7 with child support enforcement as a condition of eligibility, pursuant to 7 C.F.R. §273.11(p).

8 (c) The department shall disqualify individuals who are noncustodial parents during any
 9 month in which the individual is delinquent in any payment due under a court order for the support
 10 of a child pursuant to 7 CFR 273.11(q).

11 (d) The department shall request individuals who are custodial parents to cooperate with
 12 child support enforcement in establishing paternity as a condition of eligibility, pursuant to 7 C.F.R.
 13 §273.11(o): *Provided*, That custodial parent may not be required to conduct any investigative
 14 activities pertaining to the noncustodial parent.

15 (e) The department shall promulgate rules for legislative approval in accordance with
 16 §29A-3-1 *et seq.* of this code to implement this section.

17 (f) This section shall be effective January 1, 2024, or in coordination with the department's
 18 transition to the new enhanced eligibility verification system, whichever is earlier.

NOTE: The purpose of this bill is to require cooperation with child support enforcement as a condition of eligibility for public assistance and authorize rulemaking.

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