

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4975

BY DELEGATES BURKHAMMER, PINSON, TULLY, HECKERT,

KIMBLE, YOUNG, PETITTO, MAZZOCCHI, AND VANCE

[Passed March 9, 2024; in effect from passage.]

1 AN ACT to amend and reenact §49-2-111c of the Code of West Virginia, 1931, as amended,
2 relating to establishing a web-based communication system; setting forth the requirements
3 of the system; establishing deadlines for implementation; requiring the Department of
4 Human Services to provide analysis, evaluation, and reports regarding the system; and
5 deleting obsolete language.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-111c. Priorities for use of funds.

1 (a) Subject to appropriations by the Legislature, the department shall:

2 (1) Enhance and increase efforts to provide services to prevent the removal of children
3 from their homes;

4 (2) Identify relatives and fictive kin of children in need of placement outside of the home;

5 (3) Train kinship parents to become certified foster parents;

6 (4) Expand a tiered foster care system that provides higher payments for foster parents
7 providing care to, and child placing agencies providing services to, foster children who have
8 severe emotional, behavioral, or intellectual problems or disabilities, with particular emphasis
9 upon removing children in congregate care and placing them with suitable foster parents; and

10 (b) (1) The department shall develop and implement a web-based communication system
11 which shall either be incorporated into the existing child welfare information technology system or
12 be developed and implemented through the purchase of additional products that can be used in
13 conjunction with the existing child welfare technology system. The web-based communication
14 system shall communicate with and pull information from the existing child welfare information
15 technology system. The components of the system may be implemented incrementally, except
16 that §49-2-111c(b)(2)(B) of this code, shall be implemented on or before July 1, 2025, with the
17 project completed on or before July 1, 2026.

18 (2) The system shall:

19 (A) Ensure that permission access to utilize the system about a foster child is granted to
20 only those parties with legal responsibilities to care for and support the foster child;

21 (B) Facilitate communications between those individuals involved in the child welfare
22 system, including, but not limited to, foster parent or kinship parent requests and responses to
23 requests to staff of the Bureau for Social Services and their contractual designees;

24 (C) Provide information regarding visitation, appointments, travel, and other services
25 available to the foster child;

26 (D) Provide information regarding court hearings, meetings with guardian ad litem,
27 multidisciplinary team (MDT) meetings, and provide other communications that may improve care
28 for the foster child amongst designated parties with legal responsibilities to care for the foster
29 child;

30 (E) Provide health records for the foster child to the foster parent or kinship parent by
31 connecting with existing health care systems;

32 (F) Have the capacity to archive communications for the purpose of running reports on
33 responsiveness by parties in the child welfare system; and

34 (G) Be created to prevent the input of the redundant information.

35 (3) On or before July 1, 2026, and quarterly thereafter, the department shall analyze and
36 evaluate the average time it takes a child protective service worker to update the web-based
37 communication system with the information required in this section. The department shall also
38 evaluate the child protective service worker's response time to requests made in the web-based
39 communications system from foster parents and kinship parents. This analysis shall be shared
40 with the Foster Care Ombudsman and presented to the Legislative Oversight Commission on
41 Health and Human Resources Accountability on or before July 1, 2026, and annually thereafter.

42 (4) On or before December 31, 2024, the Department of Human Services shall submit a
43 report to the Legislative Oversight Commission on Health and Human Resources setting forth an
44 overview of the status of implementation of the web-based communication system set forth in this

45 section. The report shall contain, at a minimum, timelines for completion of the web-based
46 communication system and projected expenditures.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect from passage.

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Speaker of the House of Delegates

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President of the Senate

The within is this the.....
Day of, 2024.

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Governor