

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2013

ENROLLED

COMMITTEE SUBSTITUTE FOR

House Bill No. 2395

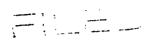
(By Delegate(s) Williams, D. Campbell, Moye, Perdue, Pino and Ellington)



Passed April 10, 2013

In effect ninety days from passage.





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COMMITTEE SUBSTITUTE

FOR

H. B. 2395

(BY DELEGATE(S) WILLIAMS, D CAMPBELL, MOYE, PERDUE, PINO AND ELLINGTON)

[Passed April 10, 2013; in effect ninety days from passage.]

AN ACT to amend and reenact §16-5P-15 of the Code of West Virginia, 1931, as amended, relating to senior services in-home care registry; providing for sixty-day waiver of initial registration fee; clarifying rule-making authority for the Bureau of Senior Services to require an applicant to obtain a state or federal criminal background check; and requiring legislative rules to be proposed for legislative approval during the 2014 legislative session.

Be it enacted by the Legislature of West Virginia:

That §16-5P-15 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

Enr. Com. Sub. For H. B. No. 2395] 2

ARTICLE 5P. SENIOR SERVICES.

§16-5P-15. Establishment of In-home Care Registry.

1 (a) There is continued within the Bureau of Senior Services 2 an in-home care worker registry which is to be maintained by the 3 bureau. The purpose of the registry is to provide the public a list 4 of in-home care workers, along with their qualifications, who 5 voluntarily agree to be included and who have obtained a 6 criminal background check.

7 (b) "In-home care worker" means an unlicensed person who 8 provides personal care or other services and supports to persons 9 with disabilities or to the elderly in order to enhance their 10 well-being and which involves face-to-face direct contact with 11 the person. Functions performed may include, but are not limited 12 to, assistance and training in activities of daily living, personal 13 care services, and job-related supports.

(c) The bureau shall propose rules for legislative approval
during the 2014 legislative session in accordance with the
provisions of article three, chapter twenty-nine-a of this code to
establish the following:

18 (1) The registry of in-home care workers;

(2) The requirements for inclusion on the registry as an"in-home care worker", including educational attainment;

(3) A fee schedule: *Provided*, That the Commissioner of the
Bureau of Senior Services shall waive the initial registration fee
for the first sixty days the registration is active;

(4) Requiring an applicant to obtain a state or federal
criminal background check, as determined in legislative rule by
the bureau;

27 (5) How a person obtains information from the registry; and

(6) Any other requirement necessary to implement theprovisions of this section.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is connectly enrolled.

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

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Clerk of the House of Delegates

Clerk of the Senate

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The within was approved this the 17th day of _ 2013. Si Someth ernor

PRESENTED TO THE GOVERNOR

APR 1 7 2013

Time _____ 4 ann