

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4074

BY DELEGATES CLARK, HANNA, HOUSEHOLDER,
THOMPSON, ESPINOSA, KEATON, HAYNES, MANDT,
HARDY, CROUSE, AND PINSON

[Passed February 11, 2022; in effect ninety days from passage.]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §18-2-40a, all relating to providing education on and prevention of self-harm
3 behavior and eating disorders in public schools; naming the section “Meghan’s Law”;
4 requiring the state board to promulgate a legislative rule to establish training requirements
5 for certain county board employees and volunteers on students’ self-harm behaviors and
6 eating disorders; setting forth criteria for said rule; requiring middle school and high school
7 students at least once per academic school year receive information regarding self-harm
8 and eating disorders signs, prevention and treatment; specifying allowable sources of the
9 information; and allowing the promulgation of state board rules to facilitate student
10 education process and develop resources.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-40a. Education on and prevention of self-harm behavior and eating disorders.

1 (a) This section shall be known and cited as “Meghan’s Law”.

2 (b) Training of public school employees and volunteers – The state board shall
3 promulgate, by September 1, 2022, a legislative rule pursuant to §29A-3B-1 *et seq.* of this code,
4 and if necessary may promulgate an emergency rule in accordance with said article, to establish
5 training requirements for all county board employees who might come into contact with a student,
6 including full-time, part-time, and contract employees, as well as any volunteers of a school or
7 school district that might come into contact with a student as such employees and volunteers may
8 be further defined in the rule. The training shall be focused on developing skills, knowledge, and
9 capabilities related to preventing, recognizing, and responding to students’ self-harm behaviors
10 and eating disorders. The rule shall provide for at least the following:

11 (1) The required training shall include instruction and information to better equip schools
12 and their employees, including how to:

13 (A) Recognize warning signs of self-harm behaviors and eating disorders that can lead to
14 serious health issues and death;

15 (B) Support the healthy development of students by learning how to appropriately respond
16 to or refer a student who exhibits warning signs of self-harm or eating disorders; and

17 (C) Provide consistent and standard protocols for responding to disclosures or discovery
18 of self-harm or an eating disorder;

19 (2) The rule shall contain provisions to ensure that public school employees complete the
20 required training every three years; and

21 (3) The rule may provide for this training to be administered virtually or through self-review
22 of materials and resources provided by the state board.

23 (c) Education of middle school and high school students – Beginning September 1, 2022,
24 children in grades 5-12 shall receive information regarding self-harm and eating disorder signs,
25 prevention, and treatment.

26 (1) This education shall occur at least once per academic school year.

27 (2) The information may be obtained from the Bureau for Behavioral Health and Health
28 Facilities, a licensed healthcare provider, or from commercially developed awareness and
29 prevention training programs for the awareness, treatment resources, and prevention of self-harm
30 behavior and eating disorders approved by the state board in consultation with the bureau to
31 assure the accuracy and appropriateness of the information.

32 (3) To facilitate this process and develop resources, the state board may promulgate a
33 legislative rule pursuant to §29A-3B-1 *et seq.* of this code.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, House Committee

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Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

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Clerk of the House of Delegates

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Clerk of the Senate

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Speaker of the House of Delegates

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President of the Senate

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day of, 2022.

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Governor