

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

**House Bill 4059**

BY Delegate Smith

[Introduced January 10, 2024; Referred  
to Committee on Health and Human Resources then  
the Judiciary]

1 A BILL to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to  
2 authorizing the Department of Human Services to promulgate a legislative rule relating to  
3 procedure to contest the substantiation of child abuse or neglect.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 5. AUTHORIZATION FOR DEPARTMENT OF HEALTH AND HUMAN  
RESOURCES TO PROMULGATE LEGISLATIVE RULES.**

**§64-5-1. Department of Human Services.**

1 The legislative rule filed in the State Register on July 13, 2023, authorized under the  
2 authority of §49-4-601b of this code, modified by the Department of Human Services to meet the  
3 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on  
4 November 7, 2023, relating to the Department of Human Services (procedure to contest the  
5 substantiation of child abuse or neglect, [78 CSR 27](#)), is authorized.

NOTE: The purpose of this bill is to authorize the Department of Human Services to promulgate a legislative rule relating to procedure to contest the substantiation of child abuse or neglect.

This section is new; therefore, strike-throughs and underscoring have been omitted.