WEST virginia legislature

2024 regular session

engrossed

Committee Substitute

for

House Bill 4975

By Delegates Burkhammer, Pinson, Tully, Heckert, Kimble, Young, Petitto, Mazzocchi, and Vance

[Originating in the Committee on Finance; Reported on February 23, 2024]

A BILL to amend and reenact §49-2-111c of the Code of West Virginia, 1931, as amended, relating to establishing a foster parent information system; setting forth the requirements of the system; requiring the Department of Human Services to provide analysis, evaluation and reports regarding the system; and 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.

(a) Subject to appropriations by the Legislature, the department ~~is authorized and directed to:~~ shall:

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

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

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

(4) Expand a tiered foster care system that provides higher payments for foster parents providing care to, and child placing agencies providing services to, foster children who have severe emotional, behavioral, or intellectual problems or disabilities, with particular emphasis upon removing children in congregate care and placing them with suitable foster parents; ~~This program shall be operational no later than December 1, 2020~~ and

~~(5) Develop a pilot program to increase payment to uncertified kinship parents for the purpose of further helping families who have accepted kinship placements.~~

~~(b) During fiscal year 2021, the department shall expend at least $16,900,000 for the purposes of implementing the priorities and objectives listed in this section.~~

~~(c) On or before July 1, 2022 and on or before July 1 of every year thereafter, the secretary of the department shall present a report to the Joint Standing Committee on Government and Finance regarding the expenditures made pursuant to subsection (b) of this section and the department’s progress in meeting the priorities and objectives listed in subsection (a) of this section:~~ *~~Provided,~~* ~~That the secretary shall provide the information described in this subsection and updates to previous reports at any time, upon request of the Joint Standing Committee on Government and Finance~~

(b) (1) The department shall incorporate into the existing child welfare information technology system or through the purchase of additional products which shall communicate with and pull information from the existing child welfare information technology system, a foster parent and kinship parent information system. The components of the system may be implemented incrementally, except that subparagraph (i), paragraph (B), subdivision (2) of this subsection shall be implemented by January 1, 2025, with the project completed by January 1, 2026.

(2) The system shall:

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

(B) Facilitate communications between those individuals involved in the child welfare system, including, but not limited to:

(i) Foster parent or kinship parent requests and responses to requests to staff of the Bureau for Social Services and their contractual designees;

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

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

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

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

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

(3) By July 1, 2025, and quarterly thereafter, the department shall analyze and evaluate a child protective worker's responsiveness to the information placed in the system, which shall be shared with the Foster Care Ombudsman and the Legislative Oversight Commission on Health and Human Resources Accountability.