

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]

1 A BILL to amend and reenact §49-2-111c of the Code of West Virginia, 1931, as amended, relating
2 to establishing a foster parent information system; setting forth the requirements of the
3 system; requiring the Department of Human Services to provide analysis, evaluation and
4 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.

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

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

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

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

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

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

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

16 ~~(c) On or before July 1, 2022 and on or before July 1 of every year thereafter, the secretary~~
17 ~~of the department shall present a report to the Joint Standing Committee on Government and~~
18 ~~Finance regarding the expenditures made pursuant to subsection (b) of this section and the~~
19 ~~department's progress in meeting the priorities and objectives listed in subsection (a) of this~~

20 section: ~~Provided~~, That the secretary shall provide the information described in this subsection
21 and updates to previous reports at any time, upon request of the Joint Standing Committee on
22 Government and Finance

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

29 (2) The system shall:

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

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

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

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

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

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

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

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

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