

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Committee Substitute

for

Senate Bill 31

BY SENATOR WOODRUM

[Originating in the Committee on the Judiciary;

reported January 17, 2024]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
2 designated §64-5A-1 and §64-5A-2, all relating generally to authorizing certain agencies
3 of the Department of Human Services to promulgate legislative rules; authorizing the rules
4 as modified by the Legislative Rule-Making Review Committee and as amended by the
5 Legislature; authorizing the Department of Human Services to promulgate a legislative
6 rule relating to collection and exchange of data related to overdoses; authorizing the
7 Department of Human Services to promulgate a legislative rule relating to procedure to
8 contest the substantiation of child abuse or neglect; and authorizing the Family Protection
9 Services Board to promulgate a legislative rule relating to domestic violence program
10 licensure standards.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 5A. AUTHORIZATION FOR DEPARTMENT OF HUMAN SERVICES TO
PROMULGATE LEGISLATIVE RULES.**

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

1 (a) The legislative rule filed in the State Register on July 18, 2023, authorized under the
2 authority of §16-5T-5 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 (collection and exchange of
5 data related to overdoses, 67 CSR 01), is authorized.

6 (b) The legislative rule filed in the State Register on July 13, 2023, authorized under the
7 authority of §49-4-601b of this code, modified by the Department of Human Services to meet the
8 objections of the Legislative Rule-Making Review Committee and refiled in the State Register on
9 November 7, 2023, relating to the Department of Human Services (procedure to contest the
10 substantiation of child abuse or neglect, 78 CSR 27), is authorized with the following amendment:

11 On page 2, subsection 3.1, by striking out the word “either” and inserting in lieu thereof the
12 word “any”.

§64-5A-2. Family Protection Services Board.

1 The legislative rule filed in the State Register on July 13, 2023, authorized under the
2 authority of §48-26-403 of this code, modified by the Family Protection Services Board to meet
3 the objections of the Legislative Rule-Making Review Committee and refiled in the State Register
4 on November 7, 2023, relating to the Family Protection Services Board (domestic violence
5 program licensure standards, 191 CSR 02), is authorized.