

Delegate Worrell from the committee of conference on matters of disagreement between the two houses, as to

Com. Sub. for H. B. 3261, Relating to Social Workers Qualifications.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendment of the Senate to the Committee Substitute for House Bill 3261 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses as follows:

That both houses recede from their respective positions as to the amendment of the Senate on pages 3 through 4, by striking out all of section 110a, and that the Senate and House agree to an amendment as follows:

CHAPTER 49. CHILD WELFARE.

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-110a Bureau of Social Service authority to hire and employ workers who are not social workers in geographical areas of critical shortage.

1 (a) The Legislature hereby finds that there is a crisis in West Virginia in certain
2 geographical regions of the state, that is caused by an absence of people employed by the
3 Department of Health and Human Resources as child protective services workers, youth case
4 workers, and support staff for these positions.

5 (b) Notwithstanding any other provisions of this code to the contrary, the Bureau of Social
6 Services, pursuant to the provisions of this section, may establish a pilot program to employ
7 persons who do not hold a social worker's license and persons who are not on the social work

8 register to work for the bureau as child protective services workers, youth case workers and
9 support staff, in geographical areas of critical shortage of this state.

10 (c) For purposes of this pilot program and this section, “geographical areas of critical
11 shortage” means the counties comprising the 14th judicial circuit and the 23rd judicial circuit as of
12 the effective date of the amendments to the section enacted during the 2023 regular session of the
13 Legislature.

14 (d) Workers hired by the bureau under this section to work in geographical areas of critical
15 shortage may be employed by the bureau and work in said geographical areas as child protective
16 services workers, youth service workers, case managers, clerical staff and in other related
17 positions for the bureau. Wherever possible, workers hired pursuant to this section shall be
18 supervised by a licensed social worker.

19 (e) The provisions of this section shall operate independently of, and in addition to, any
20 other provisions of law or policy that allow persons to be employed in these jobs, and the
21 provisions of this section do not eliminate any other provisions of law that permit persons to be
22 employed in the jobs described in this section.

23 (f) In order for a person to be eligible for employment under this section, he or she shall:

24 (1) Be at least 18 years of age.

25 (2)(A) Have an associate’s degree or higher in social work, human services, sociology,
26 psychology, or social services from an accredited college, university, community and technical
27 college, community college or junior college; or

28 (B) Be an honorably retired law enforcement officer or be an honorably retired parole
29 officer or honorably retired federal or state probation officer.

30 (3) Provide to the bureau three letters of recommendation from persons not related to the
31 applicant.

32 (4) Not be an alcohol or drug abuser, as these terms are defined in §27-1A-11 of this code:
33 Provided, That an applicant in an active recovery process, which may, in the discretion of the

34 bureau, be evidenced by participation in an acknowledged substance abuse treatment and/or
35 recovery program, may be considered;

36 (5) Satisfy the requirements of the West Virginia Clearance for Access Registry and
37 Employment Screening Act, §16-49-1 et seq. of this code; and

38 (6) Satisfy the requirements provided in §30-1-24 of this code.

39 (C) Meet any other requirements established by the bureau.

40 (g) The bureau shall provide training to any and all persons hired and employed hereunder,
41 as the bureau deems appropriate.

42 (h) The provisions of this section authorizing the hiring of persons shall sunset, expire, and
43 be of no force and effect on or after the 31st day of December 2026, but shall not serve to require
44 the termination of persons hired pursuant to this section.

And,

That both houses recede from their respective positions as to the title of the bill and agree to the same as follows:

Eng. Com. Sub. for House Bill 3261— A Bill to amend and reenact §30-30-16 of the Code of West Virginia, 1931, as amended; and to further amend said code by adding thereto a new section, designated §49-2-110a all relating to social work and child welfare generally; directing that provisional social workers who are laid off or ill during the four year provisional licensure period may request the West Virginia Board of Social Work allow a reasonable interruption in service and allow additional time to complete the licensure requirements; declaring a crisis exists in certain parts of the state due to an absence of child protective services, youth services workers, youth case workers and support staff; defining affected geographical areas; establishing a three year pilot program in two judicial circuits; designating the 14th and 23rd judicial circuits as the pilot program judicial circuits; authorizing the hiring of persons not on the

social work register to fill positions; establishing the criteria for employment; requiring the development to train the new workers; and establishing a sunset date for the program.

Respectfully submitted,

Charles S. Trump,
Chair.

Chris Phillips,
Chair.

Tom Takubo,

Pat McGeehan,

Robert Plymale,
*Conferees on the part of the House
of Delegates.*

Kayla Young,
Conferees on the part of the Senate.