

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**Introduced**

### **House Bill 4792**

BY DELEGATES YOUNG, SUMMERS, DEAN, FLEISCHAUER,

BARACH, BATES AND G. WARD

[Introduced February 15, 2022; Referred to the Committee  
on Health and Human Resources then Finance]

1 A BILL to amend and reenact §49-2-121 of the Code of West Virginia, 1931, as amended, relating  
2 to rule-making by the Secretary of the Department of Health and Human Resources; and  
3 requiring a rule for child subsidies to be based on monthly enrollment rather than daily  
4 attendance.

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

**ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.**

**§49-2-121. Rule-making.**

1 (a) The secretary shall promulgate legislative rules in accordance with §29A-3-1 *et seq.*  
2 of this code regarding the licensure, approval, certification, and registration of child care facilities  
3 and the implementation of this article.

4 (b) The secretary shall review the rules promulgated pursuant to this article at least once  
5 every five years, making revisions when necessary or convenient.

6 (c) The rules shall incorporate, by reference, the requirements of the Integrated Pest  
7 Management Program established by legislative rule by the Department of Agriculture under  
8 §19-16A-4 of this code.

9 (d) The rules shall provide that child subsidies shall be based on monthly enrollment rather  
10 than daily attendance.

NOTE: The purpose of this bill is to require child subsidies shall be based on monthly enrollment rather than daily attendance.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.