WEST virginia legislature

**FISCAL NOTE**

2025 regular session

Introduced

Senate Bill 727

By Senators Stuart, Woelfel, Bartlett, Willis, Deeds, and Rucker

[Introduced March 7, 2025; referred
to the Committee on the Judiciary; and then to the Committee on Finance]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-5-34, relating to child welfare study; directing study of child welfare system be conducted by independent third party; identifying scope of study; requiring presentation of written report and findings by certain date; requiring confidentiality agreement of the independent third party; and requiring Department of Human Services to pay for study.

Be it enacted by the Legislature of West Virginia:

§9-5-34. Independent third party to conduct comprehensive child welfare study.

(a) The Department of Human Services shall engage the services of an independent third party to conduct a comprehensive study of the child welfare system in West Virginia. The study shall include the identification problems and recommendations for both legislative and executive agency action to address the identified problems or otherwise improve child welfare outcomes.

(b) The study in subsection (a) of this section may address any aspect of the child welfare system identified by the independent third party as a problem and shall specifically address the following areas:

(1) The administration of child abuse and neglect laws including an evaluation of the performance of judges, attorneys for children, attorneys for respondent parents, child protective services workers, and the Department of Human Services administrators;

(2) Child welfare laws, rules, and regulations that may be hindering, or could improve, child welfare outcomes;

(3) The permanent and temporary child placement system, including the child foster care system, child placement process, and child adoption process;

(4) Potential opportunities for reducing the removal rate of children from parents and facilitating family reunification;

(5) Opportunities for increased efficiency in the administration and delivery of child welfare services that do not otherwise compromise child welfare outcomes;

(6) Opportunities for increasing transparency and accountability within the child welfare system; and

(7) Any other opportunities for legislative or executive action that could address, resolve, or otherwise improve upon any problem identified in the study.

(c) On or before September 1, 2026, the independent third party conducting the study specified in subsection (a) of this section shall present written findings, including recommendations for legislative and executive action, to the Joint Committee on the Judiciary during the interim meeting scheduled to take place in September of 2026.

(d) Notwithstanding any provision of this code to the contrary, the Department of Human Services shall provide to the independent third party conducting the study any information it requests so long as the independent third party agrees to be bound by the same confidentiality laws, rules, and regulations that apply to the Department of Human Services.

(e) The Department of Human Services shall be required to pay for the report mandated by subsection (a) of this section.

NOTE: The purpose of this bill is to create a study of the child welfare system by independent third party; require a presentation of a written report and findings by a certain date; and require a confidentiality agreement of the independent third party.

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