

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 727

**FISCAL
NOTE**

By Senator Stuart

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

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

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

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

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

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

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

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

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

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

20 system; and

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

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

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

31 (e) The Department of Human Services shall be required to pay for the report mandated by
32 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.