

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 759

By Senator Chapman

[Introduced March 14, 2025; referred
to the Committee on Health and Human Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §49-2-106A, relating to having no requirement for immunization; providing
3 various types of persons not be required to be immunized to be considered for child
4 placement; requiring that no immunization records be provided in specified circumstances;
5 and requiring that the immunization status of specified individuals not preclude them from
6 child placement.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-106A. No requirement to be immunized.

1 (a) Notwithstanding any federal requirement to the contrary, a kinship parent, a foster
2 parent, an adoptive parent, and all the members of their respective households shall not be
3 required to be immunized to be considered for kinship, foster, or adoptive placement.

4 (b) A kinship parent, a foster parent, an adoptive parent, and all members of the respective
5 households shall not be required to be produce immunization records as part of an eligibility
6 determination for the consideration of a foster child or any home finding study.

7 (c) The immunization status of the kinship parent, foster parent, adoptive parent, and all
8 members of the respective households shall have no impact on the department's determination
9 regarding placement of a child in the kinship parent, foster parent, or adoptive parent's care.

NOTE: The purpose of this bill is to state that the kinship parent, foster parent, and adoptive parent, and their households are not required to be immunized to be considered to take a kinship, foster, or adoptive placement. The bill protects their immunization records from being provided and protects their immunization status from being used against them in the department's determination of child placement.

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