

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 820

By Senator Helton

[Introduced March 19, 2025; referred
to the Committee on Government Organization; and
then to the Committee on Finance]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article designated §16B-22-1, §16B-22-2, §16B-22-3, §16B-22-4, §16B-22-5, §16B-22-6, and §16B-22-7, relating to creating the Whistleblower Protection Fund Act; providing the short title; establishing its findings and purpose; establishing the fund; providing the fund's sources of funding; requiring the Office of the Inspector General to administer the fund; setting forth reporting requirements; and establishing an effective date.

Be it enacted by the Legislature of West Virginia:

ARTICLE 22. WHISTLEBLOWER PROTECTION FUND ACT.

§16B-22-1. Short title.

This article shall be known as and may be cited as the Whistleblower Protection Fund Act.

§16B-22-2. Findings and purpose.

(a) The Legislature recognizes the importance of ensuring ethical practices in clinical inpatient medical treatment centers; office-based, medication-assisted treatment programs; and opioid treatment programs, as defined in §16B-13-2 of this code.

(b) The Legislature further recognizes that whistleblowers play a crucial role in exposing misconduct in these facilities that jeopardizes patient care and safety.

(c) It is essential to create a system that encourages individuals to report unethical or illegal activities without fear of retaliation.

§16B-22-3. Establishment of the Whistleblower Protection Fund.

(a) There is hereby created a special fund within the State Treasury to be known as the "Whistleblower Protection Fund", which shall be an interest-bearing account.

(b) The Inspector General, or his or her designee, shall use the fund to support advertising efforts that promote the reporting of unethical practices in the facilities named in §16B-33-2 of this code.

§16B-22-4. Sources of funding.

The fund shall consist of:

- 2 (1) Appropriations by the Legislature;
 3 (2) Donations from individuals and organizations;
 4 (3) Grants from federal or state programs that support public health initiatives; and
 5 (4) Any other sources of funding.

§16B-22-5. Fund administration.

- 1 (a) The Office of the Inspector General shall administer and maintain the fund.
 2 (b) The Inspector General, or his or her designee, shall develop and implement a public
 3 awareness campaign to inform the public about the importance of whistleblowing and the
 4 protections available to whistleblowers.
 5 (c) The public awareness campaign may include, but is not limited to:
 6 (1) Advertisements;
 7 (2) Informational materials;
 8 (3) Social media outreach; and
 9 (4) Promotions and outreach programs.

§16B-22-6. Reporting.

- 1 The Office of the Inspector General shall provide an annual report to the Joint Standing
 2 Committee on Health detailing:
 3 (1) The campaign activities funded by the Whistleblower Protection Fund in that year,
 4 (2) The number of reports made, and
 5 (3) The outcome of those reports.

§16B-22-7. Effective date.

- 1 This act shall take effect immediately upon its passage.

NOTE: The purpose of this bill is to create the Whistleblower Protection Fund Act.

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