

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

### **Committee Substitute**

**for**

### **Senate Bill 820**

BY SENATORS HELTON, FULLER, ROBERTS, AND RUCKER

[Reported March 25, 2025, from the Committee on  
Government Organization]



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

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

**ARTICLE 22. WHISTLEBLOWER PROTECTION FUND ACT.**

**§16B-22-1. Short title.**

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

**§16B-22-2. Findings and purpose.**

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

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

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

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

1 (a) There is created a special revenue fund within the State Treasury to be known as the  
2 Whistleblower Protection Fund, which shall be an interest-bearing account. As used in this article,  
3 “fund” means the Whistleblower Protection Fund. Any balance, including accrued interest and  
4 other returns, remaining in the fund at the end of each fiscal year does not revert to the General  
5 Revenue Fund but remains in the fund to be expended as provided by this article.

6           (b) The Inspector General, or his or her designee, shall use the fund to support advertising  
7           efforts that promote the reporting of unethical practices in the facilities named in §16B-13-2 of this  
8           code.

**§16B-22-4. Sources of funding.**

1           The fund shall consist of:

2           (1) Appropriations by the Legislature;

3           (2) Donations from individuals and organizations;

4           (3) Grants from federal and state programs that support public health initiatives; and

5           (4) Any other source of funding.

**§16B-22-5. Fund administration.**

1           (a) The Office of the Inspector General shall administer and maintain the Whistleblower  
2           Protection Fund.

3           (b) The Inspector General, or his or her designee, shall develop and implement a public  
4           awareness campaign to inform the public about the importance of whistleblowing and the  
5           protections available to whistleblowers.

6           (c) The public awareness campaign may include, but is not limited to:

7           (1) Advertisements;

8           (2) Informational materials;

9           (3) Social media outreach; and

10          (4) Promotions and outreach programs.

**§16B-22-6. Reporting.**

1           (a) Any whistleblower report of unethical or illegal activities pursuant to this article shall be  
2           made to the Office of the Inspector General in such form or manner as is established by the office.

3           (b) On or before June 30, 2026, and annually thereafter, the Office of the Inspector  
4           General shall provide a report to the Joint Standing Committee on Health detailing the following  
5           information for that fiscal year:

- 6        (1) The campaign activities funded by the Whistleblower Protection Fund;
- 7        (2) The number of whistleblower reports made; and
- 8        (3) The outcome of those reports.