

# **WEST VIRGINIA LEGISLATURE**

**2026 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 4025**

BY DELEGATE HANSHAW (MR. SPEAKER)

[Passed March 14, 2026; in effect 90 days from  
passage (June 12, 2026)]



1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
2 designated §5F-2-10, relating to exempting new hires and promoted employees within the  
3 Department of Health Facilities, Department of Human Services, and the Department of  
4 Health from the classified civil service system and the state grievance procedures  
5 beginning on July 1, 2026; providing legislative findings; providing the secretaries of the  
6 Department of Health Facilities, Department of Human Services, and the Department of  
7 Health the authority to designate certain employees under the classified civil service  
8 system and provide certain employees access to the grievance procedures when  
9 necessary to comply with federal law; and prohibiting departments from making  
10 employment decisions based on nepotism, favoritism, or other unethical practices.

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

**ARTICLE 2. TRANSFER OF AGENCIES AND BOARDS.**

**§5F-2-10. Transfer of new hires and promoted employees within Departments of Health  
Facilities, Human Services, and Health to classified exempt system.**

1 (a) The Legislature hereby finds that to attract and retain employees in the Department of  
2 Health Facilities, Department of Human Services, and the Department of Health, the secretaries  
3 of these departments and heads of the agencies, boards, and commissions therein require  
4 additional flexibility in the promotion, transfer, layoff, removal, discipline, and compensation of  
5 state employees within these departments.

6 (b) Notwithstanding any provision of this code or any rule to the contrary, beginning on  
7 July 1, 2026, all employees of the Department of Health Facilities, Department of Human  
8 Services, and the Department of Health shall be exempt from the state grievance procedures as  
9 set forth in §6C-2-1 *et seq.* of this code and from the classified civil service system under §29-6-  
10 1 *et seq.* of this code except that:

11 (1) All employees of the Department of Health Facilities, Department of Human Services,  
12 and Department of Health who are currently members of the classified civil service system shall  
13 retain their status as long as they remain in their current position; and

14 (2) All employees of these departments who currently have recourse to the state grievance  
15 procedures will continue to have access to the state grievance procedures as long as they remain  
16 in their current position;

17 (3) Any employee of these departments that leaves his or her position and remains a state  
18 employee within any of the departments or divisions governed by §5B-1-2, §5B-2-1, §5B-2i-4,  
19 §5F-2-8, §5F-2-9, or §29-1-1a of this code shall, at that time, be transferred to the classified  
20 exempt service system as defined in §29-6-2(g) of this code and be exempted from the state  
21 grievance procedures as set forth in §6C-2-1 *et seq.* of this code; and

22 (4) The secretary of each of these departments shall have the authority to designate  
23 certain employees' status under the classified civil service system and grievance procedures as  
24 may be deemed necessary to comply with federal law, federal regulation, or the requirements for  
25 receipt of federal funding or assistance.

26 (c) Subsection (b) of this section shall not apply to any position appointed by the Governor.

27 (d) Nothing in this section shall exempt these departments from the provisions of this code  
28 prohibiting nepotism, favoritism, discrimination, or unethical practices related to the promotion,  
29 transfer, layoff, removal, discipline, and compensation of state employees.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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*Clerk of the House of Delegates*

.....  
*Clerk of the Senate*

Originated in the House of Delegates.

In effect 90 days from passage.

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within is ..... this the.....  
Day of ....., 2026.

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*Governor*