

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 4393**

**FISCAL  
NOTE**

By Delegate Burkhammer

[Introduced January 15, 2026; 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 §49-2-802b, relating to statewide prevention plan.

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

**ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.**

**§49-2-802b. Requiring the development and implementation of statewide prevention plan.**

1 (a) On or before January 1, 2027, the Department of Human Services (DoHS) shall  
2 develop a statewide prevention plan, to provide prevention services to children under the age of 18  
3 and their families which include kinship and foster parents, that is required to meet following  
4 criteria:

5 (1) Services and programs shall be trauma-informed and shall meet evidence-based  
6 criteria;

7 (2) Services shall be offered to who are at risk, including but not limited to the following:  
8 children who have a child protective services or youth services safety plan, children with an open  
9 child welfare or youth service case, or children otherwise identified as having a family with an  
10 economic, concrete, or other preventative services need without an open child protective services  
11 or youth services case or safety plan;

12 (3) Services shall be provided to pregnant and parenting youth;

13 (4) Services shall be provided to youth aging out of the foster care system for a period of 12  
14 months after the date of their 21<sup>st</sup> birthday;

15 (5) Services shall be provided to youth post-adoption; and

16 (6) Services shall be provided to youth transitioning from one level of care in the care  
17 continuum to the next level of care;

18 (b) DoHS shall ensure the prevention network of providers is reasonably adequate for  
19 convenient access to services within a reasonable distance from a child and families' home  
20 residence and shall not be comprised solely of telehealth providers but shall have a mix of

21 telehealth providers and physical locations in the service area for the child and family to access  
22 services;

23 (c) DoHS shall provide linkage to prevention services directly to youth and their families  
24 that need the services;

25 (d) DoHS shall track encounter level information and outcomes for such prevention  
26 services;

27 (e) DoHS shall report beginning on December 1, 2027, and annually thereafter, to the  
28 Legislative Oversight Commission on Health and Human Resources Accountability on the  
29 outcomes of the prevention services;

30 (1) The report shall include at a minimum, the total number of families served by prevention  
31 services on a county basis, the total state costs for prevention services by program, the total  
32 federal costs for prevention services by program, and the outcomes for such programs on a  
33 regional basis or county basis.

34 (2) DoHS shall report outcomes on a de-identified basis and shall assign a synthetic  
35 identifier to a provider to ensure that only system level reporting of outcomes is maintained.

36 (f) Services developed pursuant to this plan and other existing prevention plans shall be  
37 submitted to the Title IV-E Prevention Services Clearinghouse for review to see if the program  
38 qualifies for federal match;

39 (g) On or before July 1, 2028, DoHS shall file an amended state plan to maximize the  
40 receipt of available federal dollars to support prevention services under the Family First  
41 Prevention Services Act;

42 (h) DoHS shall implement the plan no later than February 1, 2027.

NOTE: The purpose of this bill is to require the Department of Human Services to develop and implement a prevention plan.

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