

# WEST VIRGINIA LEGISLATURE

## 2026 REGULAR SESSION

**Introduced**

INTERIM  
BILL

**Senate Bill 546**

FISCAL  
NOTE

By Senators Deeds, Grady, M. Maynard, Roberts, and  
Tarr

[Introduced January 20, 2026; referred  
to the Committee on Health and Human Resources;  
and then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,  
2 designated §49-13-101, §49-13-102, §49-13-103, and §49-13-104, relating to clothing and  
3 necessity allowance; setting forth the purpose of the article; defining terms; setting forth  
4 the requirements to obtain funding from the Bureau for Social Services for approved  
5 necessities, an adequate wardrobe, and any supplementary clothing assistance; and  
6 setting forth the amount and form of payment.

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

**ARTICLE 13. REQUIREMENTS FOR CLOTHING ALLOWANCE AND APPROVED  
NECESSITIES.**

**§49-13-101. Purpose.**

1 The purpose of this article is to establish requirements for an adequate wardrobe and  
2 approved necessities for children removed from their home and in the legal custody of the  
3 department and to set forth payment methods.

**§49-13-102. Definitions.**

1 For purposes of this article:

2 "Approved necessities" means items, other than clothes, necessary to care for the child.

3 "Adequate wardrobe" means clothes that are in good condition, appropriate for all  
4 seasons, and fit the child for the entirety of their time in foster care.

5 "Initial clothing allowance" means funding, from the Bureau of Social Services to the  
6 placement provider to cover expenses for an adequate wardrobe and to supply a child with  
7 approved necessities at the time of initial placement, if needed.

8 "Inventory" means a listing of the child's wardrobe and necessities when the child enters  
9 the placement and is required to be updated periodically throughout the placement period. This  
10 inventory shall follow the child throughout all placements.

11 "Department" means the Department of Human Services.

12        "Placement provider" means a foster parent, kinship/relative provider, or residential care  
13        provider.

14        "Supplementary clothing assistance" means a clothing allowance and approved necessity  
15        to meet extraordinary needs to the child such as necessity by illness or irreparable damage to  
16        clothing and necessities.

**§49-13-103. Requirements.**

1        (a) At the time of initial placement, a child shall be assessed, including but not limited to a  
2        review of the child's current clothing, necessities, and inventory, by the placement provider in  
3        conjunction with the child welfare worker to determine if:

4            (1) The child possesses an adequate wardrobe and approved necessities; or  
5            (2) The child needs to be issued an initial clothing allowance to obtain an adequate  
6        wardrobe and approved necessities.

7        (b) If the child possesses an adequate wardrobe and approved necessities at the time of  
8        initial placement, no further action is needed at that time.

9        (c) If the child does not have an adequate wardrobe and approved necessities at the time  
10        of the initial placement, then the placement provider shall seek a clothing allowance to purchase  
11        an adequate wardrobe for the child.

12        (d) If the child does not have approved necessities at the time of the initial placement, then  
13        the placement provider shall seek a clothing allowance to purchase approved necessities for the  
14        child.

15        (e) The initial clothing allowance is not intended to completely outfit the child but only to  
16        supply the child with immediate clothing and necessities.

17        (f) The placement provider shall supply the child with clothing and necessities for as long  
18        as the child remains in their care and to periodically update the clothing and necessity inventory.

**§49-13-104. Amount and form of payment.**

1        (a) The child's initial clothing allowance shall be issued for a minimum of \$375.

2       (b) The child's supplemental clothing allowance may be issued for an amount up to, and  
3       not to exceed, \$175 per each supplement allowance.

4       (c) The initial clothing allowance and any supplementary clothing allowance shall be paid  
5       through three separate avenues:

6       (1) The first and primary option for payment of the clothing allowance is a reloadable  
7       instant card;

8       (2) The second option for payment of the clothing allowance is for the child welfare worker  
9       or case aid to use their purchasing card;

10       (3) The third option is to provide reimbursement to a placement provider who purchases  
11       clothing allowance items using their own funds. This item is to be used as a last resort.

12       (d) With respect to the instant card:

13       (1) The instant card shall be issued to the placement provider or re-loaded with funding  
14       within 48 hours of the child being placed with the placement provider.

15       (2) The instant card may be used online or in any store that accepts an electronic payment  
16       transaction.

17       (3) The department shall create and adopt a policy for the use of the instant card which  
18       shall be provided to the placement provider upon issuance of the card, which shall include but not  
19       be limited to an explanation of proper purchases that may be made with the instant card, an  
20       explanation of how and when the card can be re-loaded, and the need to keep receipts for  
21       reconciliation of purchases.

22       (e) With respect to the purchasing card:

23       (1) If it is decided that the child welfare worker or case aid will purchase the items with their  
24       purchasing card, then the child welfare worker or case aid shall save the receipts; and

25       (2) The child welfare worker and case aid shall follow the reconciliation process as they  
26       normally would under the purchasing card program.

27       (f) With respect to demand payment or reimbursement to the placement provider (this

28     method is not recommended and should only be used as a last resort);

29         (1) If it is decided that the kinship/relative placement provider is going to purchase the

30         child's clothing or approved necessities using their own funds with the expectation of

31         reimbursement from the department, then a receipt from the kinship/relative provider shall be

32         supplied to the child welfare worker in order to obtain reimbursement; or

33         (2) If a foster care provider chooses to purchase clothing or approved necessities, then all

34         receipts for clothing items or approved necessities from the foster care provider shall be provided

35         to their child placing agency in order for the child placing agency to invoice the department for

36         reimbursement.

NOTE: The purpose of this bill is to set forth requirements for foster child clothing allowances.

This bill was recommended for introduction by the Joint Committee on Children and Families,

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