

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 797**

**FISCAL  
NOTE**

By Senator Willis

[Introduced February 6, 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 section,  
2 designated §49-2-129a, relating to the development of a continuum of services and  
3 supports for youth who are preparing to exit foster care or who have aged out of that care.

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

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

**§49-2-129a. Development of a continuum of independent living and transitional support**

services for youth aging out of foster care.

1 (a) Legislative intent. It is the intent of the Legislature to ensure that youth transitioning  
2 from foster care to adulthood are provided with a continuum of services that recognize varying  
3 levels of independence, promote the acquisition of life skills, and support a successful transition to  
4 self-sufficient and stable adulthood

5 (b) Consultation and planning.

6 (1) The Department of Human Services shall, in consultation with contracted providers of  
7 independent living and transitional youth services, develop and maintain a coordinated continuum  
8 of services and supports for all youth who are preparing to exit foster care or who have recently  
9 aged out of care.

10 (2) The development process shall include, at a minimum:

11 (A) Representatives of contracted providers delivering independent living and transitional  
12 services across diverse geographic regions; and

13 (B) Individuals with lived experience in foster care; and  
14 (C) Community partners and stakeholders providing housing, employment, educational,  
15 and supportive services to transitioning youth.

16 (3) The department shall ensure that youth who are likely to age out of care receive  
17 information on the continuum of supports available to them beginning at age 17, and every year  
18 thereafter until the youth exits care, including the options available to the youth if services are  
19 requested after trial of independence.

20           (4) The department shall ensure that the youth who request such services prior to aging  
21 out, have the continuum of supports that includes program models designed to meet the differing  
22 levels of independence and supervision required by youth as they progress toward self-  
23 sufficiency.

24           (c) The continuum shall include, at minimum:

25           (1) Three phases of supportive living arrangements providing on-site independent living,  
26 scattered site living arrangements and supportive independent living; and  
27           (2) Services to support youth to achieve self-sufficiency must include, at a minimum,  
28 services designed to improve practical and daily living skills, social and emotional skills, and  
29 education and career development skills.

30           (d) Rate structure. -- The department shall, in collaboration with contracted providers,  
31 develop and implement a per diem rate structure for independent living and transitional youth  
32 services. The rate structure shall:

33           (1) Account for the varying levels of supervision, staffing, and program intensity required to  
34 meet the individual needs of youth.

35           (2) Be designed to maximize federal Title IV-E reimbursement until the age of 21;

36           (3) Include an annual cost-of-living adjustment (COLA) for youth consistent with guidance  
37 issued by the Social Security Administration;

38           (4) Be reviewed for sufficiency at least once every three years;

39           (5) Be adjusted as necessary to ensure the adequacy and equity of reimbursement rates  
40 to support quality service delivery and provider sustainability;

41           (6) Include rate variability to account for fair market rent rates and assure quality staffing;  
42 and,

43           (7) Be inclusive of a monthly stipend paid directly to youth to cover basic costs needed for  
44 a safe dwelling when the youth achieves independent living.

45           (e) Data collection and continuous quality improvement.

46        (1) The department shall implement a Continuous Quality Improvement (CQI) process to  
47        evaluate the effectiveness, accessibility, and outcomes of independent living and transitional  
48        support services.

49        (2) The CQI process shall include: performance measures and outcome indicators  
50        addressing National Youth in Transition Database outcomes, including housing stability,  
51        employment, education, permanency connections, and overall well-being; mechanisms for  
52        obtaining input from youth participants and contracted providers; and

53        (3) Biennial public reporting of aggregate findings and recommendations for system  
54        improvement and shall include reporting on the proportionate share of Title IV-E expenditures,  
55        Chafee and state dollars.

NOTE: The purpose of this bill is to develop a continuum of services and supports for youth who are preparing to exit foster care or who have aged out of that care.

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