

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 881

By Senators Morris and Queen

[Introduced February 9, 2026; referred
to the Committee on Health and Human Resources]

1 A BILL to amend and reenact §49-2-121 of the Code of West Virginia, 1931, as amended, relating
 2 generally to rulemaking by the Secretary of the Department of Human Services; requiring a
 3 rule for afterschool providers that clarifies the minimum hours of attendance necessary for
 4 child subsidies to be based on monthly enrollment rather than daily attendance; and
 5 providing that the department develop a system for the electronic filing of billing
 6 information necessary for child care providers to receive child subsidies.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE RESPONSIBILITIES FOR CHILDREN.

§49-2-121.

Rule-making.

1 (a) The secretary shall promulgate legislative rules in accordance with §29A-3-1 *et seq.* of
 2 this code regarding the licensure, approval, certification, and registration of child care facilities and
 3 the implementation of this article.

4 (b) The secretary shall review the rules promulgated pursuant to this article at least once
 5 every five years, making revisions when necessary or convenient.

6 (c) The rules shall incorporate, by reference, the requirements of the Integrated Pest
 7 Management Program established by legislative rule by the Department of Agriculture under
 8 §19-16A-4 of this code.

9 (d) The rules shall provide that the department reimburse licensed childcare providers
 10 based upon a child’s monthly enrollment so long as the child has attended the afterschool
 11 provider’s site for at least two and a half hours or more at least one day per month.

12 (e) The rules shall provide a system for the electronic filing of all days of attendance billed
 13 by child care providers to the department. The department shall have the system in place no later
 14 than July 1, 2026, after which any child care provider seeking reimbursement from the department
 15 for child care services provided shall submit any and all supporting documents for the
 16 department’s review electronically.

NOTE: The purpose of this bill is to set forth requirements for the reimbursement of child care and afterschool providers receiving child care subsidies.

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