WEST VIRGINIA CODE: §16b-12-1

§16B-12-1. Reporting.

(a) The Office of the Inspector General shall send to county prosecutors any findings that may be subject to criminal prosecution in cases of abuse and neglect with Intellectual/Developmental Disability (IDD). The Office of the Inspector General shall send to the Protection and Advocacy (P&A) the findings of any cases involving instances of substantiated abuse or neglect involving a person with a developmental disability.

(b) An annual report shall be submitted to the Legislative Oversight Commission on Health and Human Resources Accountability including:

(1) All instances where abuse and neglect cases involving IDD at any location has been substantiated by the Office of the Inspector General.

(2) The county or region where the substantiated abuse or neglect occurred;

(3) The descriptive category of the abuse and neglect;

(4) The type of setting where the abuse and neglect occurred;

(5) Whether the abuse and neglect information was turned over to the county prosecutor and law enforcement;

(6) The name of the provider, if the provider is involved, who is charged with the care of the individual; and

(7) The age range and gender of the individual.

(c) In instances where abuse and/or neglect leads to the death of an individual, the department shall send a letter, within 30 days after the findings where substantiated, to the Senate President, the Speaker of the House, and the chairs of LOCHHRA outlining the information above about the case.

WV Legislature