
WEST VIRGINIA CODE CHAPTER 29
ARTICLE 34

WV Legislature

§29-34-1. Short title; legislative findings; purpose.

(a) This article may be known and cited as the Recovery and Hope Act.

(b) The West Virginia Legislature finds that:

(1) The substance use disorder epidemic in the State of West Virginia has created a public health crisis, an economic crisis, and a social services crisis for our state;

(2) The State of West Virginia, through its various governmental branches and state agencies, offers several programs to assist the citizens of West Virginia battling substance use disorder, likewise, there are numerous programs offered by the federal government, local governments, and private entities to combat this epidemic; and

(3) Creation of the State Recovery and Hope Office is necessary to further the positive results of the Jobs and Hope Program implemented to date and to facilitate and coordinate the various programs offered through the State of West Virginia by and with the assistance of the legislative branch, the judicial branch, various federal agencies, local governments, community advocates, and private sector partners related to the prevention, treatment, and reduction of substance use disorder.

(c) It is the purpose of this article to create an office under the Office of the Governor to focus the comprehensive and coordinated statewide approach to provide West Virginians in need of treatment for substance use disorder with the support and assistance necessary to help provide assistance to combat addiction, as well as to assist those in recovery by providing them opportunities to obtain career training and to ultimately secure meaningful employment, thereby further bettering our people, our communities, and economic opportunities in this state. The office created by this article shall utilize the personnel and resources of the Department of Health and Human Resources and relevant agencies thereunder to the greatest extent practicable.

§29-34-2. State Recovery and Hope Office.

(a) The State Recovery and Hope Office is hereby created. The office shall be organized within the Office of the Governor. The office will serve as the coordinating agency of recovery efforts.

(b) The State Recovery and Hope Officer shall be appointed by the Governor with the advice and consent of the Senate.

(c) The State Recovery and Hope Officer shall be vested with the authority and duties prescribed to the office within this article.

(d) The State Recovery and Hope Officer shall be a person who has:

(1) Managerial and strategic planning experience in matters relating to substance use disorder treatment, recovery, and transition into the workforce; and

(2) Be thoroughly knowledgeable in matters relating to substance use disorder treatment, recovery, and matters relating thereto.

(e) The State Recovery and Hope Office shall be tasked with coordinating efforts toward the provision of needed assistance for those in treatment for substance use disorder, toward transitioning those in recovery with the opportunity to obtain career training, and toward ultimately securing meaningful employment.

§29-34-3. Authority of State Recovery and Hope Office and State Recovery and Hope Officer.

The State Recovery and Hope Office will coordinate the state's efforts to assist those experiencing substance use disorder in their recovery and transition into the workforce. The State Recovery and Hope Officer shall serve as the primary representative of the Governor, and the agencies and departments of the state shall provide assistance, information, data, and/or resources to the State Recovery and Hope Office as may be requested from time to time. The State Recovery and Hope Officer will assist and advise the Governor on all recovery and workforce training issues for this population, and will serve as a liaison between the Governor's office and all other parties, whether state, federal, local, or private to further the purposes of this article. The State Recovery and Hope Officer will:

- (1) Coordinate all planning and implementation efforts relating to substance use disorder treatment, recovery, and transition into the workforce;
- (2) Coordinate an annual review of plans relating to substance use disorder treatment, recovery, and transition into the workforce;
- (3) Recommend legislation to better facilitate the implementation of recovery efforts;
- (4) Report to legislative committees, as called upon to do so;
- (5) Establish and facilitate regular communication between federal, state, local, and private sector agencies and organizations to further recovery efforts;
- (6) Receive resources, monetary or otherwise, from any other governmental entity or private source and disburse those resources to effectuate the purposes of this article;
- (7) Execute cooperative agreements, where appropriate;
- (8) Contract, where appropriate, on behalf of the State Recovery and Hope Office, with the federal government, its instrumentalities and agencies, any state, territory, or the District of Columbia, and its agencies and instrumentalities, municipalities, public bodies, private corporations, partnerships, associations, and individuals;
- (9) Hire necessary employees at an appropriate salary equivalent to a competitive wage rate;
- (10) Enroll appropriate employees in the Public Employees Retirement System, the Public Employees Insurance Agency, and workers' compensation and unemployment programs, or their equivalents: *Provided*, That the State Recovery and Hope Office, through the receipt of federal or state funds, or both, pays the required employer contributions;
- (11) Have the ability to secure all other bonding, insurance, or other liability protections necessary for its employees to fulfill their duties and responsibilities;

(12) Utilize the personnel and resources of the Department of Health and Human Resources to the greatest extent practicable, and have the ability to draw upon other departments, divisions, agencies, and all other subdivisions of the state for research and input in fulfilling the requirements of this article, or to facilitate the implementation of the purposes of this article, and its requests are to have priority over other such requests;

(13) Participate in the interdepartmental transfer of permanent state employees, as if he or she were a department secretary, under the provisions of §5F-2-7 of this code;

(14) Notwithstanding any other provision of this code to the contrary, acquire legal services that are necessary, including representation of the office, its employees, and officers before any court or administrative body from the Office of the Attorney General, who shall provide such legal assistance and representation;

(15) Take all other actions necessary and proper to effectuate the purposes of this article; and

(16) The office shall have any other additional authority, duties, and responsibilities as prescribed by the Governor to effectuate the purposes of this article. Due to the at-will employment relationship with the office, its employees may not avail themselves of the state grievance procedure as set forth in §6C-2-1 *et seq.* of this code.

§29-34-4. Employees.

(a) The State Recovery and Hope Officer shall have the power to hire, administer, and manage employees, but only to the extent necessary to fulfill the office's responsibilities.

(1) Any and all employees will be exempt from both the classified services category and the classified-exempt services category as set forth in §29-6-4 of this code.

(2) Employee positions are contingent upon the receipt of the necessary federal or state funds, or both.

(3) Any employee hired shall be deemed an at-will employee who may be discharged or released from his or her respective position without cause or reason.

(4) Any employee may participate in the Public Employees Insurance Agency, the Public Employees Retirement System, and workers' compensation and unemployment compensation programs, or their equivalents.

(5) Any employees and officers of the State Recovery and Hope Office who are entrusted with funds or property shall execute surety bonds.

(b) The State Recovery and Hope Officer will set appropriate salary rates for any employees equivalent to a competitive wage rate necessary to support a specific mission.