

WEST VIRGINIA CODE: §61-12B-3

§61-12B-3. Creation of the Critical Incident Review Team and composition of members.

(a) The Critical Incident Review Team is created under the Office of the Inspector General and is a multidisciplinary team created to oversee and coordinate the examination, review, and assessment of:

- (1) The fatality or near fatality of a child in the custody of the Department of Human Services;
- (2) The fatality or near fatality of a child who has a known case with the Department of Human Services or who is the immediate family member or a member of a household of a person with a known case with the Department of Human Services; and
- (3) The fatality or near fatality of a child whose identity has been brought to the attention of the Department of Human Services through a centralized intake report, regardless of whether the report was accepted for an investigation.

(b) The Critical Incident Review Team shall consist of the following members:

- (1) The Commissioner of the Bureau for Social Services, or his or her designee, who is to serve as the chairperson, and is responsible for calling and coordinating meetings of the Critical Incident Review Team;
- (2) The Director of the Division of Planning and Quality Improvement;
- (3) The Deputy Commissioner of the Bureau for Social Services;
- (4) A representative from the Office of Field Support, Programs and Resource Development, Planning and Research, or the Office of Field Operations;
- (5) The social services manager for any district having a history with the child or his or her family or any household member that is the subject of the critical incident review;
- (6) The Foster Care Ombudsman, or his or her designee;
- (7) A representative of the West Virginia Supreme Court of Appeals, Division of Children Services;
- (8) A representative from the Prosecuting Attorney's Institute;
- (9) The Superintendent of the West Virginia State Police or his or her designee;

(10) A member of the West Virginia Senate, appointed by the President of the Senate, who shall serve as an ex officio member; and

(11) A member of the West Virginia House of Delegates, appointed by the Speaker of the House, who shall serve as an ex officio member.

(c) Each member shall serve without additional compensation and may not be reimbursed for any expenses incurred in the discharge of his or her duties under the provisions of this article.

(d) The Critical Incident Review Team may seek guidance and opinion regarding any matter under review from outside experts in any related field. At any such time, the Critical Incident Review Team shall require that all appropriate privacy requirements required in this article are in place.