

HB 2395

WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2013



ENROLLED

COMMITTEE SUBSTITUTE
FOR

House Bill No. 2395

(By Delegate(s) Williams, D. Campbell, Moye,
Perdue, Pino and Ellington)



Passed April 10, 2013

In effect ninety days from passage.

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2013 APR 18 AM 10:47

OFFICE OF THE
CLERK OF THE HOUSE OF DELEGATES

ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 2395

(BY DELEGATE(S) WILLIAMS, D CAMPBELL, MOYE,
PERDUE, PINO AND ELLINGTON)

[Passed April 10, 2013; in effect ninety days from passage.]

AN ACT to amend and reenact §16-5P-15 of the Code of West Virginia, 1931, as amended, relating to senior services in-home care registry; providing for sixty-day waiver of initial registration fee; clarifying rule-making authority for the Bureau of Senior Services to require an applicant to obtain a state or federal criminal background check; and requiring legislative rules to be proposed for legislative approval during the 2014 legislative session.

Be it enacted by the Legislature of West Virginia:

That §16-5P-15 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 5P. SENIOR SERVICES.

§16-5P-15. Establishment of In-home Care Registry.

1 (a) There is continued within the Bureau of Senior Services
2 an in-home care worker registry which is to be maintained by the
3 bureau. The purpose of the registry is to provide the public a list
4 of in-home care workers, along with their qualifications, who
5 voluntarily agree to be included and who have obtained a
6 criminal background check.

7 (b) "In-home care worker" means an unlicensed person who
8 provides personal care or other services and supports to persons
9 with disabilities or to the elderly in order to enhance their
10 well-being and which involves face-to-face direct contact with
11 the person. Functions performed may include, but are not limited
12 to, assistance and training in activities of daily living, personal
13 care services, and job-related supports.

14 (c) The bureau shall propose rules for legislative approval
15 during the 2014 legislative session in accordance with the
16 provisions of article three, chapter twenty-nine-a of this code to
17 establish the following:

18 (1) The registry of in-home care workers;

19 (2) The requirements for inclusion on the registry as an
20 "in-home care worker", including educational attainment;

21 (3) A fee schedule: *Provided*, That the Commissioner of the
22 Bureau of Senior Services shall waive the initial registration fee
23 for the first sixty days the registration is active;

24 (4) Requiring an applicant to obtain a state or federal
25 criminal background check, as determined in legislative rule by
26 the bureau;

27 (5) How a person obtains information from the registry; and

28 (6) Any other requirement necessary to implement the
29 provisions of this section.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Janny Wells

Chairman, House Committee

Robert H. ...

Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

Gregg M. ...

Clerk of the House of Delegates

Joseph M. Minard

Clerk of the Senate

Rich B

Speaker of the House of Delegates

Jeffrey V K

President of the Senate

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STATE

The within is approved this the 17th
day of April, 2013.

Carl Roy Tomblin
Governor

PRESENTED TO THE GOVERNOR

APR 17 2013

Time 11:24 am