

# WEST VIRGINIA LEGISLATURE

## 2023 REGULAR SESSION

### ENROLLED

### Senate Bill 679

BY SENATORS TARR, WOELFEL, PLYMALE, AND ROBERTS

[Passed March 06, 2023; in effect from passage]

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

2023 MAR -9 P 4: 01

FILED

SB679

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1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §27-9-2, relating to forensic group homes; requiring the office to propose  
3 legislative rules; setting forth requirements on where a forensic group home may be  
4 located; requiring emergency rules; and providing for variance for existing providers.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 9. LICENSING OF HOSPITALS.**

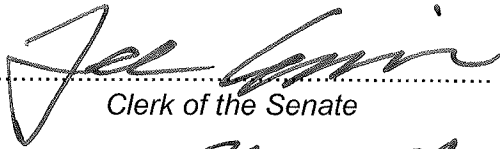
**§27-9-2. Forensic group homes.**

1 The Office of the Inspector General shall propose rules for legislative approval in  
2 accordance with the provisions of §29A-3-1 *et seq.* of this code and may promulgate emergency  
3 rules pursuant to the provisions of §29A-3-15 of this code to amend the Behavioral Health Centers  
4 Licensure Rule, W.Va. C.S.R. §64-11-1 *et seq.* (hereinafter the "rule"), to implement the  
5 requirements of this section after consultation with appropriate stakeholders.

6 (1) The Office of the Inspector General shall amend the rule to include that the forensic  
7 group home shall not be located within one mile of a residential area, a public or private licensed  
8 day care center, or a public or private k-12 school learning pods and micro-schools.

9 (2) The Office of the Inspector General may grant a variance to an existing forensic group  
10 home referenced in subdivision (1) of this section only if the facility demonstrates that it has  
11 adequate patient population controls and that it otherwise meets the requirements set forth in the  
12 amended rule.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

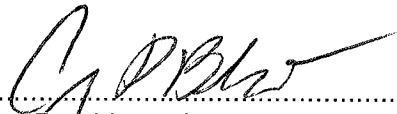
  
Clerk of the Senate

  
Clerk of the House of Delegates

FILED  
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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

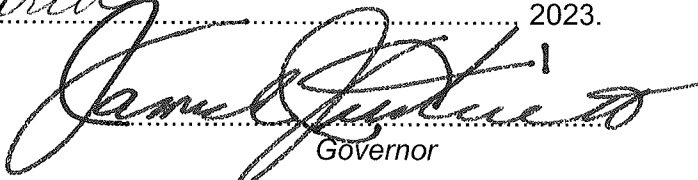
Originated in the Senate.

In effect from passage.

  
President of the Senate

  
Speaker of the House of Delegates

The within is approved this the 9th  
Day of March 2023.

  
Governor

PRESENTED TO THE GOVERNOR

MAR 08 2023

Time 9:11am