



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Bill J. Crouch
Cabinet Secretary

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

MEMORANDUM

DATE: April 17, 2020

TO: Mac Warner
Secretary of State

FROM: Bill J. Crouch, Cabinet Secretary
Department of Health and Human Resources *BJC*

RE: **Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults in West Virginia W. Va. C.S.R. §78-3**

The Bureau for Children and Families of the Department of Health and Human Resources requests that W. Va. C.S.R. §78-3 be temporarily suspended in part effective immediately pursuant to W. Va. Code §15-5-6(c)(7) and the State of Emergency declared by Governor Justice on March 16, 2020.

W. Va. C.S.R. §78-3 establishes and sets forth the requirements for residential child care and treatment facilities for child and transitioning adults. Strict compliance with the following subdivision will hinder and delay necessary action in coping with the emergency declared by the Governor in so far as **W. Va. C.S.R. §78-3.10.2.h.** requires a fingerprint-based criminal background check.

If granted, the Bureau for Children and Families further requests that this rule provision be suspended until such time as the State of Emergency is lifted.