

**IN THE CIRCUIT COURT OF MARION COUNTY, WEST VIRGINIA
DIVISION II**

ADMINISTRATIVE ORDER REGARDING SOCIALLY NECESSARY SERVICES

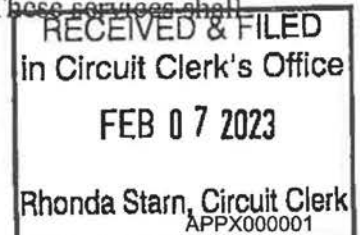
WHEREAS, on February 2, 2023, the Court became aware that the West Virginia Department of Health and Human Resources was currently unable to enter referrals or provide payment for socially necessary services, including supervised visitations, to the families involved in ongoing abuse and neglect proceedings in Marion County, West Virginia.

WHEREAS, pursuant to *West Virginia Code* § 49-1-105, the West Virginia Department of Health and Human Resources has a duty to preserve and strengthen the child family ties and to recognize and respect the fundamental rights of children and parents.

WHEREAS, once a child protective services case is initiated by way of legal proceedings, the West Virginia Department of Health and Human Resources, through its local child protective services office, is mandated to provide, direct, and coordinate the appropriate and timely delivery of services to the child and the child's family pursuant to *West Virginia Code* § 49-2-802.

WHEREAS, this Court has the authority to order the West Virginia Department of Health and Human Resources to pay for socially necessary services pursuant to *West Virginia Code* § 49-4-108.

THEREFORE, it is hereby ORDERED that the West Virginia Department of Health and Human Resources Bureau for Social Services shall make a direct payment to any socially necessary service provider involved in current abuse and neglect proceedings, as well as any future abuse and neglect proceedings in Marion County, West Virginia, within fifteen (15) business days of receipt of said invoices for socially necessary services. These services shall



include, but not be limited to, supervised visitation, parenting, adult life skills, and parental fitness and psychological evaluations.

The Court further ORDERS that the West Virginia Department of Health and Human Resources Bureau for Social Services shall make payment in full for all socially necessary services rendered as part of ongoing abuse and neglect cases in Marion County, West Virginia from January 1, 2023 to present within fifteen (15) business days after entry of this order.

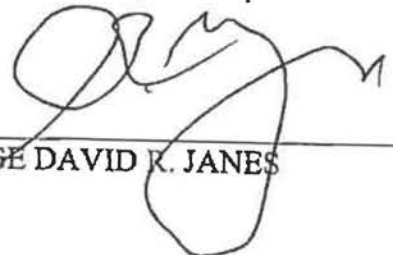
Until such time as the current PATH system and Atrezzo platform can properly communicate, this Court ORDERS that the local Child Protective Services workers and/or supervisors shall provide an authorization letter to any socially necessary service provider that specifically guarantees payment in full for all services deemed necessary in the current abuse and neglect proceeding without an authorization number being listed in the PATH or Atrezzo systems. Further, the authorization letter shall give direct consent for the applicable socially necessary services provider to provide services to and work with the family involved in the current abuse and neglect proceeding.

This Court finds that the entry of this Order serves the best interest of the children, and their families, currently involved in ongoing abuse and neglect proceedings in Marion County, West Virginia and believes that the relief ordered herein is the only way to avoid this Court having to make findings that the abuse and neglect cases in Marion County are not being properly managed and that reasonable efforts are not being made to achieve permanency.

The Circuit Clerk is hereby directed to transmit a copy of this "Administrative Order Regarding Socially Necessary Services" to Marion County Child Protective Services, West Virginia Department of Health and Human Resources, 416 Adams Street, Suite 307, Fairmont, West Virginia 26554; to West Virginia Department of Health and Human Resources Bureau for

Social Services, 350 Capitol Street, Room 730, Charleston, West Virginia 25301; and to all
counsel of record via the West Virginia e-filing system.

ENTER: 2 / 7 / 23

A handwritten signature in black ink, appearing to read 'D. Janes', written over a horizontal line.

JUDGE DAVID R. JANES