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LEGISLATIVE SYSTEM

# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2000



# ENROLLED

## House Bill No. 4578

(By Delegates Compton, Hutchins and Leach)



Passed March 11, 2000

In Effect Ninety Days from Passage

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FRANCIS G. WELLS  
SECRETARY OF STATE

**ENROLLED**

**H. B. 4578**

(BY DELEGATES COMPTON, HUTCHINS AND LEACH)

[Passed March 11, 2000; in effect ninety days from passage.]

AN ACT to amend and reenact section four-a, article three, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to testing for tuberculosis of school children and personnel.

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

That section four-a, article three, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 3. PREVENTION AND CONTROL OF COMMUNICABLE AND OTHER INFECTIOUS DISEASES.**

**§16-3-4a. Compulsory testing for tuberculosis of school children and school personnel; X rays required for reactors; suspension from school or employment for pupils and personnel found to have tuberculosis in a communicable stage.**

- 1 (a) All students transferring from a school located outside
- 2 this state shall furnish a certificate from a licensed physician
- 3 stating that a tuberculin skin test approved by the director of the

4 department of health has been made within four months prior  
5 to the beginning of the school year, unless such pupil has  
6 moved to this state from another state less than four months  
7 prior to starting the school year, in which event such pupil shall  
8 have such test as soon in advance of the start of the school as is  
9 reasonable, or if the school year has already started, the pupil  
10 shall take such test within one month of the time he enters  
11 school.

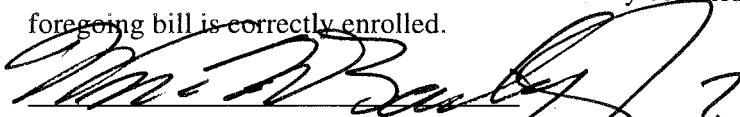
12 (b) Test results must be recorded on the certificate required  
13 by subsection (a). Positive reactors to the skin test must be  
14 immediately evaluated by a physician and, if medically  
15 indicated, X rayed, and receive periodic X rays thereafter, when  
16 medically indicated. Pupils found to have tuberculosis in a  
17 communicable stage will not be allowed to attend school until  
18 their disease has been arrested and is no longer communicable.

19 (c) All school personnel shall have an approved tuberculin  
20 skin test at time of employment and once every two years or  
21 more frequently if medically indicated. Positive reactors to the  
22 skin test are to be immediately referred to a physician for  
23 evaluation and indicated treatment or further studies. School  
24 personnel found to have tuberculosis in a communicable stage  
25 shall have their employment discontinued or suspended until  
26 their disease has been arrested and is no longer communicable.  
27 School personnel who have not had the required examination  
28 will be suspended from employment until reports of examina-  
29 tion are confirmed.

30 (d) The county health officer shall be responsible for  
31 arranging proper follow-up of school personnel and students  
32 who are unable to obtain physician evaluation for a positive  
33 tuberculin skin test.

34 (e) The state commissioner of the bureau of public health  
35 shall have the authority to require selective testing of school  
36 children for tuberculosis when there is reason to believe that  
37 such children may have been exposed to the tuberculosis  
38 organism.

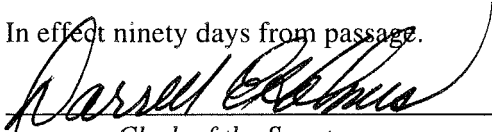
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


  
Chairman Senate Committee

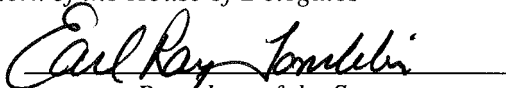
  
Chairman House Committee

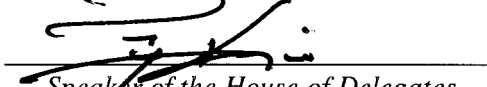
Originating in the House.

In effect ninety days from passage.


  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within approved this the 28th  
day of March 2000.

  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/27/00

Time 3:10 pm