

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 346

(By Mr. Moreland)



PASSED March 10 1953

In Effect ninety days from Passage



346

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House Bill No. 346

(By MR. MORELAND)

[Passed March 10, 1953; in effect ninety days from passage.]

AN ACT to amend and reenact section fourteen, article fifteen, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the commitment of veterans to the veterans administration for medical treatment or care.

Be it enacted by the Legislature of West Virginia:

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

Section 14. *Commitment to Veterans Administration or Other Agency of United States Government.*—When-
ever it appears that a veteran of any war, military occupation or expedition is eligible for care or treatment by the veterans administration or other agency of the United States government, and commitment thereto is necessary

7 for the proper treatment and care of such veteran, the
8 county court, the county mental hygiene commission, or
9 other tribunal or commission in lieu of either thereof, of
10 the county in which such person is found, upon receipt
11 of a certificate from the veterans administration or such
12 other agency showing that facilities are available and
13 that such person is eligible for care or treatment therein,
14 may commit such person to the veterans administration
15 or other agency of the United States government for care
16 or treatment. Thereafter, such person, upon admission
17 to any such facility, shall be subject to the rules and regu-
18 lations of the veterans administration or other agency
19 of the United States government. The chief officer of
20 any such facility or institution to which such person is
21 committed under the provisions of this section shall be
22 vested with the same powers now exercised by officials
23 of state hospitals for mental diseases within this state
24 with respect to the retention, transfer, parole or discharge
25 of persons so committed. Notice of such pending commit-
26 ment proceedings shall be furnished the person whose
27 commitment is sought, and his right to appear and defend

28 shall not be denied. The judgment or order of commit-
29 ment by a court of competent jurisdiction of another state
30 committing a person to the veterans administration or
31 other agency of the United States government for care
32 or treatment, shall have the same force and effect as to
33 such person while in this state as in the state in which
34 is situated the court entering such judgment or making
35 such order.

36 Upon receipt of a certificate of the veterans adminis-
37 tration or other agency of the United States government
38 that facilities are available for the care or treatment of
39 any person heretofore or hereafter committed to any
40 hospital for the insane or other institution in this state
41 for the care of persons similarly afflicted; and that such
42 person is eligible for care or treatment by the veterans
43 administration or other agency of the United States, the
44 superintendent of any such hospital or institution in this
45 state is hereby authorized to cause the transfer of any
46 such person to the veterans administration or other
47 agency of the United States government for care or treat-
48 ment. Upon effecting any such transfer, the committing

49 court, commission or tribunal shall be notified thereof
50 by the transferring agency: *Provided, however,* That no
51 person shall be transferred if he be confined pursuant to
52 conviction of any crime or misdemeanor, or if he shall
53 have been acquitted of any such charge solely on the
54 ground of insanity, unless prior to such transfer the court
55 originally committing such person shall enter an order
56 for such transfer after appropriate motion and hearing.

57 Any person transferred as provided in this section shall
58 be deemed to be committed to the veterans administra-
59 tion or other agency of the United States government
60 pursuant to the original commitment the same as if he
61 had been originally so committed.

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

A. M. Curley
Chairman Senate Committee

C. H. Cusker
Chairman House Committee

Originated in the House of Delegates

Takes effect *ninety days from* passage.

Howard Hayes
Clerk of the Senate

J. J. Galif
Clerk of the House of Delegates

Ralph Beane
President of the Senate

[Signature]
Speaker House of Delegates

The within *approved* this the *16th*
day of *March*, 1953.

William C. Maeland
Governor



Filed in the Office of the Secretary of State
of the State of New York
MAR 16 1953
D. PITT O'BRIEN,
SECRETARY OF STATE