WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

SENATE BILL NO. 821

(By Mr.

Passed March 6 1957

In Effect
AN ACT to amend chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article one-a, and by adding to article three a new section, designated section four, and by amending and reenacting sections one, two, three, four and five, article two; section one, article four; section four, article five; sections three and five, article seven; sections one, two and three, article eight; section one, article nine; and sections two and four, article ten thereof, establishing a department of mental health, prescribing the powers and duties thereof, and
providing for the transfer of records and personnel to said department from the West Virginia board of control.

Be it enacted by the Legislature of West Virginia:

That chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article one-a, and by adding to article three a new section, designated section four, and by amending and reenacting sections one, two, three, four and five, article two; section one, article four; section four, article five; sections three and five, article seven; sections one, two and three, article eight; section one, article nine; and sections two and four, article ten thereof, all to read as follows:

Article 1A. Department of Mental Health.

Section 1. Statement of Policy.—The purpose of this article is to improve the administration of the mental institutions in this state, raise the standards of treatment of the mentally ill in those institutions, encourage the further development of outpatient and diagnostic clinics, establish better research and training programs, and promote the development of mental health.

Sec. 2. Creation of Department; Control of Certain In-
There shall be a state department of mental health, to be known as the department of mental health. It shall be a corporation and, as such, shall have a seal and may contract and be contracted with. It shall consist of a director of mental health, supervisors of divisions of the department, and such other employees as are needed to carry out its functions. The department shall supervise and control Spencer state hospital, Lakin state hospital, Huntington state hospital, Barboursville state hospital, Weston state hospital, West Virginia training school, and any other school, and any other state mental institution hereafter created.

Sec. 3. Appointment of Director; Term of Office; Qualifications.—The governor shall appoint the director of the department of mental health by and with the consent of the senate; he shall be known as the director of mental health. Before entering upon the duties of his office, the director shall take and subscribe the oath of office prescribed by section five, article four of the Constitution of this state, the certificate whereof shall be filed in the office of the secretary of state, and he shall give bond in
the penalty of ten thousand dollars, conditioned as re-
quired by law. The director may be removed only for
misconduct in office or other serious cause. The director
shall be appointed for a term of five years and shall be
eligible for reappointment. The director shall be a qualified
psychiatrist with both clinical and administrative ex-
perience. Preference shall be given to candidates who are
diplomates of the American board of psychiatry and
neurology and to candidates certified by the committee
on the certification of mental hospital administrators. The
salary of the director shall be twenty thousand dollars
a year, and in addition thereto he shall be reimbursed
for all necessary travel expenses incurred in the perfor-
mance of his duties.

Sec. 4. Powers and Duties of Director.—The director
shall appoint the superintendents of the institutions named
in section two hereof, and of any other state mental in-
stitutions hereafter created, shall supervise and coordinate
their medical and fiscal administration, and may establish
uniform policies for those institutions. He may transfer
a patient from any state mental institution to any other
institution or clinic under his control. By agreement be-
tween the director of mental health and the board of con-
trol, a patient at a state mental institution may be trans-
ferred to an institution, other than correctional, under the
supervision of the board of control. The director of mental
health shall have all the authority vested in the divisions
of the department, as hereinafter provided, and shall
appoint the supervisors of those divisions. He may pre-
scribe rules and regulations to carry out his authority. He
may accept and invest any gift of personality for the bene-
fit of a state mental institution or institutions or for any
other mental health purpose. Any income therefrom shall
be paid into the state treasury and expended therefrom
for the purpose intended by the donor. The director shall
make periodic reports to the governor and to the legisla-
ture on the condition of the state mental institutions and
on other matters within his authority and shall include
recommendations for improvement of the state mental
institutions and any other matters affecting the mental
health of the people of the state.
Whenever it shall become necessary, the director may
condemn any interest, right or privilege, land or improve-
ment which in its opinion may be necessary, in the man-
er provided by law for the acquisition by this state of
property for public purposes. The state shall be under
no obligation to accept and pay for any property con-
demned and shall in no event pay for the same except
from the funds provided, and in any proceeding to con-
demn, such orders shall be made by the court having
jurisdiction of the suit, action or proceedings as may be
just to the state and to the owners of property to be
condemned, and a bond or other security may be re-
quired by the court securing such owners against any
loss or damage to be sustained by reason of the failure of
the state to accept and pay for the property, but such
bond or security shall impose no liability or debt on or of
the state as contemplated by the provisions of the con-
stitution of the state in relation to state debt.

Sec. 5. Division of Administration.—There shall be a
division of administration in the department of mental
health. The supervisor of this division shall assist the di-
rector of the department in performing his general ad-
ministrative duties, and shall also have the following
powers and duties:

(1) To keep the records of the department, including
records transferred from the board of control.

(2) To receive and disburse funds for the department.

(3) To assemble and analyze departmental budget
estimates, review requests for transfer of funds, and
maintain departmental appropriation and fiscal records.

(4) To make rules and regulations governing the ad-
ministration and business management of the institutions
named in section two hereof, formulate standard fiscal
procedures, and make recommendations for improve-
ment; to make regulations concerning any superintend-
ent’s trustee fund heretofore established by authority of
section three-a, article one, chapter twenty-five of the
official code.

(5) To have the responsibility for the maintenance of
the land and buildings of said mental institutions.

(6) To review requisitions for supplies and equipment,
and cooperate with the department of purchases in de-
velopment and drafting of specifications.
(7) To handle the personnel records of the department and to process payrolls.

(8) To enter into contracts for the department.

(9) To develop a civil service system, based on merit and including job classification and standardization, for the professional employees of the department and of the institutions and for any other employees thereof who are not made subject to such a system by other provisions of law.

(10) To perform any other duties assigned to the division by the director of the department.

Sec. 6. Division of Professional Services; Liaison with Other State Agencies.—There shall be a division of professional services in the department of mental health. The supervisor of this division shall act primarily in a consultant capacity and shall make recommendations as to professional aspects of institutional management, but shall not exercise direct supervision of the institutions. The supervisor shall have the following powers and duties:

(1) To carry on or stimulate research activities related to medical and psychiatric facilities of the department, and
render specialized assistance to hospital superintendents.

(2) To develop professional standards, analyze hospital programs, and inspect individual hospitals.

(3) To assist in recruiting professional staff.

(4) To take primary responsibility for the education and training of professional and subprofessional personnel.

(5) To establish liaison with appropriate state agencies and with private groups interested in mental health, such as the state department of health, the board of control, the board of probation and parole, the department of education, the board of governors of West Virginia university, and the West Virginia association for mental health, inc.

(6) To license, supervise, and inspect mental institutions other than state mental institutions, including a section of any general hospital which has facilities for the involuntary confinement of mental patients.

(7) To perform any other duties assigned to the division by the director of the department.

Sec. 7. Division of Community Services.—There shall be a division of community services in the department of
mental health. This division shall administer funds made
available to the state of West Virginia and any political
subdivision thereof under the national mental health act
(act of July 3, 1946, chapter 538). The supervisor of this
division shall also have the following powers and duties:

(1) To supervise the operation of out-patient psychiatric clinics for adults and children and to develop new clinics. Traveling clinics may be established for rural areas, to be operated directly by the division or under its supervision.

(2) To develop a comprehensive and practical program of mental health education of the public, especially at the local level.

(3) To work with county mental hygiene commissions.

(4) To perform any other duties assigned to the division by the supervisor of the department.

Sec. 8. Superintendents of Mental Institutions to Pay Money Due the State to State Treasury Through Department of Mental Health; Appropriations; Deficiency; How Met.—All moneys and funds belonging to the state which shall come into the possession or under the control of the
superintendent or other officer of a state mental institu-
tion or other facility under the control of the department
of mental health shall be paid to the director of mental
health monthly, on or before the tenth day of the month
following the month in which such moneys or funds were
received, under such rules and regulations as the director
shall prescribe. The director shall pay such moneys and
funds into the state treasury immediately in the manner
provided in article two, chapter twelve of this code.
All moneys appropriated for the department of mental
health and the state mental institutions may be expended
on proper requisitions issued by the director of mental
health or his duly authorized agent. Whenever the ap-
propriations by the Legislature for the mental institu-
tions are insufficient to pay the expenses of conducting
such institutions, the director of mental health shall
certify the deficiency to the governor. The certificate
shall state the name of the institution and the items and
amount in detail needed, and the governor may direct
payment of the same or any part thereof out of any ap-
propriation available for that purpose.
Sec. 9. Transfer of Control, Records and Property from the Board of Control to the Department of Mental Health.

—The control of the financial, business and all other affairs of such state mental institutions is hereby transferred from the state board of control to the department of mental health, and, as its chief executive officer the director shall, in respect to the control, management and property of such institutions, have the same rights and powers and shall perform the same duties and functions as were heretofore exercised or performed by the state board of control. The title to all property of such state mental institutions is hereby transferred to and vested in the department of mental health.

Sec. 10. Transfer of Records from Department of Health to Division of Community Services.—The state department of health shall transfer to the division of community services of the department of mental health all of the records of the bureau of mental health and all records pertaining to the state mental institutions. Persons employed by the state department of health in that bureau may also be transferred to this division. All persons now
employed by the various guidance clinics in the state shall
be under the supervision of this division.

Sec. 11. Director May Establish a Program for Alco-
holics.—The director of mental health may establish a
special program for the care and treatment of alcoholics,
to the extent to which the appropriation for the depart-
ment makes such a program possible. The program may
include establishment of clinics for diagnosis, treatment,
care, and guidance of alcoholics, including one or more
pilot outpatient clinics in populous areas of the state. The
director may arrange and provide for temporary hos-
pitalization of alcoholics who, upon the department’s
diagnosis and pursuant to its rules and regulations, are
in need of such hospitalization. The department may in-
form and educate the public as well as interested groups
and persons concerning alcoholism and its prevention and
treatment and may participate in national, state and local
meetings and programs concerned with alcoholism. The
department may conduct or participate in research on the
causes, prevention and treatment of alcoholism and on
the effectiveness of the program of the department. The
20 director may enter into lease, rental, or similar agree-
21 ments for suitable clinic or hospital facilities; utilize,
22 through contracts or otherwise, the available services and
23 assistance of any person, groups, organizations or institu-
24 tions in the development and promotion of the depart-
25 ment's program; and enter into contracts for research and
26 educational services relating to alcoholism. The director
27 may receive funds from any governmental source and
28 private gifts for the development and operation of the
29 program.

Article 2. State Hospitals and Training School.

Section 1. Locations; Continuation; Management.—The
2 state hospitals for the mentally ill heretofore established
3 at Weston, Spencer, Huntington, Barboursville, Lakin
4 and St. Marys shall be continued and known respectively
5 as the Weston state hospital, Spencer state hospital, Hun-
6 tington state hospital, Barboursville state hospital, Lakin
7 state hospital and the West Virginia training school. Said
8 hospitals shall be managed, directed and controlled by
9 the department of mental health as provided in article
10 one-a of this chapter.
Sec. 2. Superintendents.—The superintendent of an institution named in section one, or institution hereafter created, shall be appointed for an indefinite period. The superintendent of a mental hospital shall be a qualified psychiatrist with some experience in a mental hospital. Preference shall be given to diplomates of the American board of psychiatry and neurology and to persons who are certified by the committee on the certification of mental hospital administrators. The superintendent of the West Virginia training school shall be a person qualified to supervise an institution for mentally retarded and emotionally disturbed children and adults.

The superintendent, subject to merit system regulations, shall have the power to appoint all assistants and employees required for the management of his institution; but the number of such assistants and employees, and their compensation, shall first be fixed by the director of mental health.

The superintendent shall be furnished living quarters, household furniture, board, fuel and lights for himself and his family. The director of mental health may desig-
nate other officers to receive these emoluments, as deter-
determined by the character of their duties.

Sec. 3. Rules as to Patients.—The director of mental
health shall have authority to make rules, not contrary to
law, regulating the admission of patients to the said in-
stitutions, the care, maintenance and treatment of patients
therein, and the release, trial visit and discharge of pa-
tients therefrom.

Sec. 4. Forms For Committing Patients; Other records.
—The director of mental health shall have authority to
prepare, prescribe and have printed forms to be used for
commitment to and discharge from the said institutions.

Sec. 5. Reports by Superintendents; Registration by
Department of Mental Health.—The superintendent of
each state mental institution shall furnish to the director
of mental health such information as he may require con-
cerning admissions, discharges, deaths and other matters.
From this and other information available to the director
of mental health, he shall keep such records as are neces-
sary to enable him to have current information concern-
ing the extent of mental illness in the state. The names of
individuals shall be accessible to anyone except by permission of the director of mental health, or by order of judge of a court of record.

Article 3. Mental Hygiene Commissions

Section 4. Director of Mental Health May Make Rules.—

The director of mental health shall have authority to make rules, not contrary to law, regulating the procedure of mental hygiene commissions. The director may publish and distribute a handbook for the members of such commissions.

Article 4. Voluntary Hospitalization.

Section 1. Admissions.—Any person, a resident of this state, who desires the benefit of institutional treatment, may be admitted to one of the state mental hospitals on his own application. Such admissions shall be subject to the rules of the department of mental health.

Article 5. Involuntary Hospitalization.

Section 4. Disposition of Mentally Ill Persons.—If upon completion of the hearing and consideration of the record, the commission finds that the proposed patient (1) is mentally ill, and (2) because of his illness is likely to
injure himself or others if allowed to remain at liberty, or
(3) is in need of custody, care or treatment in a mental
hospital and because of his illness lacks sufficient insight
or capacity to make responsible decisions with respect to
his hospitalization, and (4) is a resident of the county in
which the hearing is held, it shall order his hospitalization
for an indeterminate period or for a temporary observa-
tion period not exceeding six months; otherwise, it shall
dismiss the proceeding. An order for an indeterminate
period relieves the patient of legal capacity. If the order
is for a temporary period, the commission may at any
time prior to the expiration of such period, on the basis of
a report by the head of the hospital and such further in-
quiry as it may deem appropriate, order indeterminate
hospitalization of the patient or dismissal of the proceed-
ing. If the commission orders hospitalization of the patient,
it will notify the county health officer, who may make a
study of the patient's family and environment and report
his findings to the superintendent of the hospital receiving
the patient.

In lieu of ordering the patient to a mental hospital, the
commission may order him delivered to some relative or
friend who will agree to take care of him, and take from
such relative or friend a bond in the penalty of at least
five hundred dollars, with sufficient security to be approv-
ed by the commission, payable to the state of West Vir-
ginia, with condition to restrain and take proper care of
such person until the further order of the commission.
But if the person found to be a mentally ill person is not
dangerous to himself or to others, or is found harmless,
he may be delivered to any relative or friend who will
agree to take proper care of him without such bond if,
in the judgment of the commission, the same may be
proper.
If the person found to be mentally ill by the commission
is a resident of another county of this state, a transcript
of the evidence adduced at the hearing of such person,
properly certified by the clerk of the county court, shall
forthwith be forwarded to the clerk of the county court
of the county of which such person is a resident, who shall
immediately present such transcript to the mental hy-
giene commission of said county. Such commission shall
give full faith and credit to the evidence contained in such transcript, and, if satisfied that such person is mentally ill, shall order the person to be committed to one of the state hospitals for the mentally ill, as though the person had been brought before it in the first instance. This order shall be transmitted forthwith to the county clerk of the county in which the hearing was held, who shall execute said order promptly. All expenses incurred in this proceeding, as well as for the hospitalization of the mentally ill person, shall be borne by the county of which he is a resident.

If the person found to be mentally ill by the commission is a resident of another state, this information shall be forthwith given to the director of mental health, who shall make appropriate arrangements for his transfer to his native state, except as qualified by the interstate compact of mental health.

Article 7. Release, Discharge and Readmission of Patients; Escapees.

Section 3. Released as Unimproved.—The superinten-
when the patient's family or friends, or committee or
guardian, or other responsible persons, request his re-
lease and are willing and able to take proper care of said
patient outside the hospital, taking from such relative,
friend, committee, guardian or responsible person a bond
in the penalty of at least five hundred dollars, with suf-
ficient security to be approved by the superintendent, pay-
able to the state of West Virginia, conditioned to restrain
and take proper care of such patient until the further order
of the superintendent. Reports shall be made by those in
charge of said patient at least once every six months to
the superintendent of the hospital. No discharge shall be
given to said patient until he has returned to the hospital
for examination by the superintendent and staff thereof
and it has been determined that he is no longer mentally
ill.

Where such discharges or releases are granted as in-
dicated in sections one, two and three above, the superin-
tendent of the hospital shall report the same to the direc-
tor of mental health and to the county clerk of the county
of which the patient is a resident.
Sec. 5. Return of Escapees; Veterans.—If any person confined in a state hospital escapes therefrom, the superintendent thereof shall issue a notice, giving the name and description of the person escaping, and requesting his apprehension and return to the hospital, and may offer such reward for the return of such person as the director of mental health may authorize. The superintendent may issue a warrant directed to the sheriff of the county, commanding him to arrest and carry such escaped person back to the hospital, which warrant the sheriff may execute in any part of the state. If such person flee to another state, the superintendent shall notify the director of mental health, and he shall take such action as he may deem proper for the return of such person to the hospital.

If any veteran duly committed to a veterans hospital or other veterans institution, either within or without the state, escape or elope therefrom and any person make complaint, under oath, to the clerk of the county court of the county from which such veteran was so committed, giving such information and stating such facts therein as may be required, or if any veteran duly committed to a
veterans hospital or other veterans institution, either
within or without the state, escape or elope therefrom
and the superintendent or chief officer of such hospital
or institution issue notice to the clerk of the county court
of the county from which such veteran was so committed,
giving the name and description of such veteran and re-
questing his apprehension and return to such hospital or
institution, the clerk, upon receipt of such complaint or
of such notice, may issue a warrant directed to the sheriff
of the county commanding him to arrest and carry such
veteran back to such hospital or institution, which war-
rant the sheriff may execute in any part of the state.
The sheriff or other person making any arrest under
this section shall be paid such compensation as is provided
for like services in other cases, and such additional com-
pensation in any case as the director of mental health may
think reasonable and just.
The foregoing provisions shall likewise apply to any
veteran released from a veterans hospital or other veterans
institution, either within or without the state, on trial
Article 8. Maintenance of Mentally Ill Patients.

Section 1. Maintenance of Patients; Reimbursement.—

The cost of the maintenance of patients admitted to the state mental institutions shall be paid out of funds appropriated for the respective institutions, but the institutions, through the director of mental health, shall have a right of reimbursement for all or any part of such maintenance, in no case to exceed five dollars per day, from each patient or from the committee or guardian of the estate of the patient, or if that be insufficient, then from the patient's husband, wife, children, father and mother, or any of them. If a relative so liable does not reside in this state and has no estate or debts due him within the state by means of which the liability can be enforced against him, the other relatives shall be liable as provided by this section. In exercising this right of reimbursement the director of mental health may, whenever it is deemed just and expedient to do so, exonerate any person chargeable with such maintenance from the payment thereof in
whole or in part, if the director finds that such person is unable to pay or that payment would work an undue hardship on him or on those dependent upon him.

There shall be no discrimination on the part of the institution as to food, care, protection, treatment or rehabilitation, between patients who pay for their maintenance and those who are unable to do so.

The provisions of this section apply only to the state mental hospitals proper, and not to the clinics attached thereto.

It shall be the responsibility of the director of mental health to determine the ability of the patient or of his relatives to pay for his maintenance.

Sec. 2. When and How Counties to Pay.—If the state mental institution is unable to collect a minimum of one hundred dollars per annum toward the maintenance of a patient, whether on a voluntary or involuntary status, the county of which the patient is a resident shall annually pay into the state treasury for credit to the appropriate institution the difference between the amount, if
any, collected by the institution and the sum of one hun-
dred dollars.

At every levy term of each county court it shall esti-
mate for any levy a sufficient amount to meet all such ex-
penses. The superintendent of such institution, on or
before the tenth day of January of each year, shall certify
to the auditor a list of all the patients in the institution
during the whole or any part of the preceding year for
which the counties are to pay, showing on such list under
the name of the county, the number from each county
and length of time they were in the institution during the
year, and showing the amount due from each county for
each patient, and the total amount due from each county
for the year. As soon as such list is received by the audi-
tor he shall charge to each county the amount appearing
to be due from the certificates of the superintendents.

Within ten days after the receipt of such certificates the
auditor shall make out a copy thereof for each county
and certify the same to the county court thereof, which
list shall show the name of each patient in such hospital
from the county during the year, the length of time he
was in such institution during the year, the amount charged
for each patient, and the total amount charged on account
of all such patients from the county; and such total
amount shall constitute a debt against the county due the
state. Whenever there is in the state treasury a sum of
money due any county from any source, the same shall be
at once applied on the debt aforesaid against the county,
and the fact of such application of such fund shall be re-
ported by the auditor to the county court of the county,
which report shall be a receipt for the amount therein
named.

Sec. 3. Care of Patients in Boarding Homes.—The di-
rector of mental health may, upon the recommendation
of the superintendent of the institution, provide care in
a suitable boarding home for any patient in a state mental
institution, if the condition of the patient is such that his
and the public welfare will not be prejudiced thereby.
A patient in a boarding home shall be deemed to be a
patient of the institution from which he was removed
and shall, on the approval of the superintendent, be
placed under the supervision of a psychiatric social
worker employed by the institution. All patients in such
homes shall be visited at least once every three months,
and if upon the visitation they are found to be abused,
eglected or improperly cared for, they shall be returned
to the institution or placed in a better boarding home.
The cost of the boarding home care shall be paid by the
institution from which he was removed.

Article 9. Private Hospitals.

Section 1. Permit from Director of Mental Health;

Regulations.—No private hospital for the care and treat-
ment of mentally ill persons for compensation shall be
established unless a permit therefor shall be first obtained
from the director of mental health. The term “private
hospital” includes any hospital or clinic other than a state
mental institution, whether operated solely as a mental
hospital or clinic or as a section of any general hospital
which has facilities for the involuntary confinement of
mental patients. The application for such permit shall be
accompanied by a plan of the premises to be occupied, and
such other data and facts as the director may require.
He may make such terms and regulations in regard to the
conduct of such hospital as he may think proper and necessary. He, or any person authorized by him, shall have full authority to investigate and inspect such private hospital; and the director of mental health may revoke the permit of any such hospital for good cause after reasonable notice to the superintendent or other person in charge thereof.

Article 10. West Virginia Training School.

Section 2. *Proceedings for Commitment.*—Mental defectives shall be admitted to said school in the following manner:

(a) The county mental hygiene commission shall have jurisdiction of all applications for commitment of persons to said school. Any relative of a person affected may make application, by complaint under oath, to have the person adjudged a mental defective; but when the relatives of a mentally defective person either neglect or refuse to place such person in said school, or in some private institution of like nature, and shall permit him or her to go at large, then any reputable citizen of the county may, by complaint under oath, make application to the mental
14 hygiene commission for such commitment; and such com-
15 plaint shall not be subject to exception for defects of
16 form. When application is filed for commitment of an
17 alleged mentally defective person, the commission shall
18 appoint two physicians to examine such person and de-
19 termine whether or not he is mentally defective. Both
20 these physicians shall be selected as being the most
21 capable physicians available because of knowledge of and
22 training in psychiatry, and neither of them shall be
23 related in any wise to the person sought to be com-
24 mitted.

(b) Where any court of the state has on trial before
25 it a prisoner for an offense, and the judge shall have cause
26 to believe that the prisoner is mentally defective, he may
27 appoint two physicians as aforesaid to examine the pris-
28 oner, to ascertain whether or not he is in reality mentally
29 defective; and if such physician shall pronounce the pris-
30 oner to be mentally defective, the judge may commit him
31 to said school.

32 In either of the cases named above, the physicians mak-
33 ing the examination shall be required to make a complete
and thorough examination, both mental and physical, and
shall be required to make to the commission or court
appointing them a certificate as to their findings in the
matter. This certificate shall be in the form prescribed
by the director of mental health, and shall be made in
duplicate, one copy of the same being sent with the
patient when committed to the school, and the other copy
being filed with the commission or court committing such
person; and it shall be the duty of the superintendent of
said school to refuse admission of any person unless he
or she shall present a copy of such certificate.

The commission or court, by order, shall designate some
reputable person to convey such mentally defective per-
son to the school and to protect such person until such
time as he or she can be conveyed to the institution.

When any female is taken to the school, a female at-
tendant shall be provided.

All expenses connected with the commitment of a per-
son hereunder and conveying of such mentally defective
person to the school shall be borne by the county of
which such person is a resident.
Sec. 4. Discharge or Parole of Inmates.—When, in the judgment of the superintendent of the school, a patient or inmate thereof shall, under the treatment and training given therein, improve mentally and physically to such an extent as to no longer constitute a menace to himself or herself or others, the superintendent shall have the right, and it shall be his duty, to discharge or parole such person, under such rules and regulations as the director of mental health may prescribe.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

E. H. McCourt
Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect ninety days from passage.

Howard Magee
Clerk of the Senate

Clerk of the House of Delegates

Ralph J. Blankenship
President of the Senate

Speaker House of Delegates

The within approved this the 15th day of March 1957.

Governor

Filed in the Office of the Secretary of State of West Virginia, MAR 15 1957

D. Pitt O'Brien
SECRETARY OF STATE