

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1963

ENROLLED

SENATE BILL NO. 56

(By Mr. McCourt)

PASSED March 9, 1963

In Effect July 1, 1963 Passage



Filed in Office of the Secretary of State
of West Virginia 3-15-63
JOE F. BURDETT
SECRETARY OF STATE

56

ENROLLED
Senate Bill No. 56

(By MR. McCOURT)

[Passed March 9, 1963; in effect July 1, 1963.]

AN ACT to repeal section eleven, article one-a, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, and to enact in lieu thereof a new section eleven, relating to the establishment of a division and program on alcoholism within the department of mental health.

Be it enacted by the Legislature of West Virginia:

That section eleven, article one-a, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed and that a new section eleven be enacted in lieu thereof to read as follows:

Section 11. Division on Alcoholism; Powers and Duties.

2 —There shall be a division on alcoholism in the depart-

3 ment of mental health. The supervisor and personnel of
4 this division shall assist the director of the department
5 in the establishment of a program for the care, treatment,
6 and rehabilitation of alcoholics; for research into the
7 causes, prevention, and treatment of alcoholism; for the
8 training of personnel to work with alcoholics; and for the
9 education of the public concerning alcoholism.

10 The department's program for the care, treatment, and
11 rehabilitation of alcoholics may include, when intended
12 for such purposes, the establishment of special clinics or
13 wards within, attached to, or upon the grounds of one
14 or more of the state hospitals under the control of the
15 department of mental health; the acquisition in the name
16 of the department of real and personal property and the
17 construction of buildings and other facilities; the leasing
18 of suitable clinics, hospitals, or other facilities; and the
19 utilization, through contracts or otherwise, of the avail-
20 able services and assistance of any professional or non-
21 professional persons, groups, organizations or institutions
22 in the development, promotion and conduct of the de-
23 partment's program.

24 Neither the department of mental health nor the divi-
25 sion on alcoholism shall be required to accept any alco-
26 holic voluntarily seeking hospitalization for clinical or
27 hospital care, treatment, or rehabilitation; but the de-
28 partment may accept, pursuant to its adopted and pro-
29 mulgated rules and regulations, responsibility for clinical
30 or hospital care, treatment, or rehabilitation of any alco-
31 holic through arrangements made voluntarily with the
32 department by him or some person acting in his behalf:

33 *Provided*, That any such person accepted by the depart-
34 ment on a voluntary basis shall be charged a minimum
35 fee of seven dollars per day, unless he shows, to the satis-
36 faction of the department, that he is unable to pay said fee.

37 The department shall accept all alcoholics committed
38 by a county mental hygiene commission in accordance
39 with the procedure of article six of this chapter; but not-
40 withstanding any provision in said article six which may
41 be to the contrary, the supervisor of the division on alco-
42 holism may, in his discretion, specify the clinic or hos-
43 pital to which the alcoholic shall be committed.

44 The department's program of research into the causes,

45 prevention, and treatment of alcoholism may include the
46 utilization, through contracts or otherwise, of the available
47 services and assistance of any professional or nonprofes-
48 sional persons, groups, organizations or institutions, as well
49 as cooperation with private and public agencies engaged
50 in research in alcoholism or rehabilitation of alcoholics.

51 The department's program on alcoholism shall also pro-
52 vide for the training of personnel to work with alcoholics
53 and the informing of the public as well as interested
54 groups and persons concerning alcoholism and the pre-
55 vention and treatment thereof.

56 The department may employ such medical, psychiatric,
57 psychological, secretarial and other assistance as may be
58 necessary to carry out the provisions of this section.

59 As used in this section,

60 (a) "Alcoholic" shall mean any person who chronically
61 and habitually uses alcoholic beverages to the extent that
62 he has lost the power of self-control as to the use of such
63 beverages, or, while chronically and habitually under the
64 influence of alcoholic beverages, endangers public morals,
65 health, safety or welfare.

66 (b) "Alcoholism" shall mean the condition of abnormal
67 behavior or illness resulting directly or indirectly from
68 the chronic and habitual use of alcoholic beverages.

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

C. Ray Parker
Chairman Senate Committee

Ethel L. Randall
Chairman House Committee

Originated in the Senate.

Takes effect July 1, 1963 passage.

Howard Meyer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard Carson
President of the Senate

Julius W. Singleton
Speaker House of Delegates

The within approved this the 14th
day of March, 1963.

Tom Baum
Governor

