WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1963

ENROLLED

SENATE BILL NO. 56

(By Mr. McGurt)

PASSED March 9, 1963

In Effect July 1, 1963

Filed in Office of the Secretary of State of West Virginia 3-16-63

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article one-a, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed and that a new section eleven be enacted in lieu thereof to read as follows: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

There shall be a division on alcoholism in the depart-
ment of mental health. The supervisor and personnel of this division shall assist the director of the department in the establishment of a program for the care, treatment, and rehabilitation of alcoholics; for research into the causes, prevention, and treatment of alcoholism; for the training of personnel to work with alcoholics; and for the education of the public concerning alcoholism.

The department's program for the care, treatment, and rehabilitation of alcoholics may include, when intended for such purposes, the establishment of special clinics or wards within, attached to, or upon the grounds of one or more of the state hospitals under the control of the department of mental health; the acquisition in the name of the department of real and personal property and the construction of buildings and other facilities; the leasing of suitable clinics, hospitals, or other facilities; and the utilization, through contracts or otherwise, of the available services and assistance of any professional or non-professional persons, groups, organizations or institutions in the development, promotion and conduct of the department's program.
Neither the department of mental health nor the division on alcoholism shall be required to accept any alcoholic voluntarily seeking hospitalization for clinical or hospital care, treatment, or rehabilitation; but the department may accept, pursuant to its adopted and promulgated rules and regulations, responsibility for clinical or hospital care, treatment, or rehabilitation of any alcoholic through arrangements made voluntarily with the department by him or some person acting in his behalf:

Provided, That any such person accepted by the department on a voluntary basis shall be charged a minimum fee of seven dollars per day, unless he shows, to the satisfaction of the department, that he is unable to pay said fee.

The department shall accept all alcoholics committed by a county mental hygiene commission in accordance with the procedure of article six of this chapter; but notwithstanding any provision in said article six which may be to the contrary, the supervisor of the division on alcoholism may, in his discretion, specify the clinic or hospital to which the alcoholic shall be committed.

The department's program of research into the causes,
prevention, and treatment of alcoholism may include the utilization, through contracts or otherwise, of the available services and assistance of any professional or nonprofessional persons, groups, organizations or institutions, as well as cooperation with private and public agencies engaged in research in alcoholism or rehabilitation of alcoholics. The department's program on alcoholism shall also provide for the training of personnel to work with alcoholics and the informing of the public as well as interested groups and persons concerning alcoholism and the prevention and treatment thereof. The department may employ such medical, psychiatric, psychological, secretarial and other assistance as may be necessary to carry out the provisions of this section. As used in this section, (a) "Alcoholic" shall mean any person who chronically and habitually uses alcoholic beverages to the extent that he has lost the power of self-control as to the use of such beverages, or, while chronically and habitually under the influence of alcoholic beverages, endangers public morals, health, safety or welfare.
(b) "Alcoholism" shall mean the condition of abnormal behavior or illness resulting directly or indirectly from the chronic and habitual use of alcoholic beverages.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect July 1, 1963 passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

Governor