WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1965

ENROLLED
SENATE BILL NO. 182

(By Mr. Holden and McMullin)

PASSED March 12, 1965
In Effect Thirty days from Passage

FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 3-18-65
ENROLLED

Senate Bill No. 182
(By Mr. Holden and Mr. Mullins)

[Passed March 12, 1965; in effect ninety days from passage.]

AN ACT to amend chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article twenty-two, relating to the detection of phenylketonuria in newborn children.

Be it enacted by the Legislature of West Virginia:

That chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article twenty-two, to read as follows:


Section 1. Findings.—The Legislature finds that phenyl-

ketonuria, a genetic defect affecting body metabolism, is
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3 usually associated with mental retardation. Laboratory
tests are readily available to aid in the detection of this
disease and its hazards to health of those suffering thereof
may be lessened or prevented by early detection and
treatment. Damage from the disease, if untreated in the
early months of life, is usually rapid and not appreciably
affected by treatment.

Sec. 2. Program to Combat Mental Retardation.—The
state department of health is hereby authorized to estab-
lish and carry out a program designed to combat mental
retardation in our state's population due to phenylketon-
uria, and may adopt reasonable rules and regulations
necessary to carry out such a program. The department
of health shall establish and maintain facilities at its
state hygienic laboratory for testing specimens for the
detection of phenylketonuria. Tests shall be made by
such laboratory of specimens upon request by physicians,
hospital medical personnel and other individuals attend-
ing newborn infants. The state department of health is
authorized to establish additional laboratories throughout
the state to perform tests for the detection of phenylketonuria.

Sec. 3. Tests for Phenylketonuria.—The physician attending a newborn child or any person attending a newborn child not under the care of a physician may cause to be made a test for phenylketonuria approved by the state department of health. Any test found positive for phenylketonuria shall be promptly reported to the state department of health by the director of the laboratory performing such test.

The state department of health, in cooperation with other state departments and agencies, and with attending physicians, is authorized to provide medical, dietary and related assistance to children determined to be afflicted with phenylketonuria.

Sec. 4. Penalties for Violation of Provisions of This Article.—Any person violating the provisions of this article shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five nor more than fifty dollars. Violation of each such provision shall be considered a separate offense.
Sec. 5. Severability.—If any provision or item of this article or application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this article.

Sec. 6. Effective Date.—The effective date of this article shall be July one, one thousand nine hundred sixty-five.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

O. Ray Parker  
Chairman, Senate Committee

J. L. Loop  
Chairman, House Committee

Originated in the Senate.

Takes effect upon passage.

J. B. M. Bagley  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

Howard W. Lamar  
President of the Senate

H. Sabran Sobile  
Speaker, House of Delegates

The within approved this the 18

day of March, 1965.

Herbert C. Smith  
Governor