

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1965

ENROLLED

SENATE BILL NO. 182

(By Mr. Holden and Macmillan)

PASSED March 12, 1965

In Effect Ninety days from Passage



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

# 182

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:

**Article 22. Tests Required in Newborn Children for the Detection and Control of Phenylketonuria.**

**Section 1. Findings.**—The Legislature finds that phenylketonuria, a genetic defect affecting body metabolism, is

3 usually associated with mental retardation. Laboratory  
4 tests are readily available to aid in the detection of this  
5 disease and its hazards to health of those suffering thereof  
6 may be lessened or prevented by early detection and  
7 treatment. Damage from the disease, if untreated in the  
8 early months of life, is usually rapid and not appreciably  
9 affected by treatment.

**Sec. 2. Program to Combat Mental Retardation.—The**

2 state department of health is hereby authorized to estab-  
3 lish and carry out a program designed to combat mental  
4 retardation in our state's population due to phenylketon-  
5 uria, and may adopt reasonable rules and regulations  
6 necessary to carry out such a program. The department  
7 of health shall establish and maintain facilities at its  
8 state hygienic laboratory for testing specimens for the  
9 detection of phenylketonuria. Tests shall be made by  
10 such laboratory of specimens upon request by physicians,  
11 hospital medical personnel and other individuals attend-  
12 ing newborn infants. The state department of health is  
13 authorized to establish additional laboratories throughout

14 the state to perform tests for the detection of phenyl-  
15 ketonuria.

**Sec. 3. Tests for Phenylketonuria.**—The physician at-  
2 tending a newborn child or any person attending a new-  
3 born child not under the care of a physician may cause  
4 to be made a test for phenylketonuria approved by the  
5 state department of health. Any test found positive for  
6 phenylketonuria shall be promptly reported to the state  
7 department of health by the director of the laboratory  
8 performing such test.

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

**Sec. 4. Penalties for Violation of Provisions of This**  
2 **Article.**—Any person violating the provisions of this ar-  
3 ticle shall be guilty of a misdemeanor, and, upon convic-  
4 tion, shall be fined not less than twenty-five nor more  
5 than fifty dollars. Violation of each such provision shall  
6 be considered a separate offense.

**Sec. 5. Severability.**—If any provision or item of this  
2 article or application thereof is held invalid, such inva-  
3 lidity shall not affect other provisions, items or applica-  
4 tions of this article.

**Sec. 6. Effective Date.**—The effective date of this article  
2 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

*James W. Loop*  
 Chairman House Committee

Originated in the Senate.

Takes effect *ninety days from* Passage.

*Thomas M. Myers*  
 Clerk of the Senate

*C. A. Blankenship*  
 Clerk of the House of Delegates

*Howard G. Larson*  
 President of the Senate

*H. Raban Colute*  
 Speaker House of Delegates

The within *approved* this the *18*  
 day of *March*, 1965.

*Street C. Smith*  
 Governor



Presented to the Governor's Office

March 18, 1965

2:40 P.M.