WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1976

ENROLLED
SENATE BILL NO. 96

(By Mr. Stytoe)

PASSED March 9, 1976

In Effect sixty days from Passage

FILED IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 3/18/76
ENROLLED

Senate Bill No. 96
(By MR. STEPTOE)

[Passed March 9, 1976; 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-five, relating to detection of tuberculosis, high blood pressure and diabetes; legislative findings; establishing a program for early detection of tuberculosis and mobile x-ray facilities to be used in select areas of the state; reporting cases of tuberculosis and penalties for noncompliance; creating a program for early detection of high blood pressure and diabetes; mobile testing facilities.

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-five, to read as follows:

ARTICLE 25. DETECTION OF TUBERCULOSIS, HIGH BLOOD PRESSURE AND DIABETES.

§16-25-1. Legislative findings.

1 The Legislature finds that tuberculosis, diabetes and the condition of high blood pressure are diseases which are latent in nature and have symptoms and effects which are not easily recognizable by the members of the public, while at the same time these diseases and conditions are very serious and often fatal if not diagnosed and treated in their early stages. The Legislature also finds that if mobile laboratory testing were to be made readily available to the public, the hazards created by such diseases to the health of those suffering therefrom may be lessened or prevented by early detection or treatment. The legislative purpose of this article is to provide for adequate testing facilities for the detection of such diseases.
§16-25-2. Program for early detection of tuberculosis; mobile x-ray facilities used in select areas of the state.

The state department of health may establish and implement a program designed to detect tuberculosis in its early stages in members of the public and may promulgate reasonable rules and regulations necessary to carry out such a program. The department of health is to establish and maintain mobile x-ray facilities for use in detection of tuberculosis to be used in select areas in the state where the director finds that tuberculosis is most likely to be present. Such select areas shall be determined by the director at his discretion.

§16-25-3. Reporting cases of tuberculosis; penalty for noncompliance.

Any physician, nurse, physician’s assistant or any other person who detects or diagnoses a case of tuberculosis shall report within seventy-two hours excluding Sundays and holidays such to the state department of health. Any such person reporting such case shall also obtain from the person afflicted with tuberculosis, the name, age, present street address and the name and address of such person’s nearest living relative.

Any person who violates the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than twenty dollars nor more than one hundred dollars.

§16-25-4. Program for detection of high blood pressure and diabetes; mobile testing facilities.

The state department of health is hereby authorized to establish and implement a program designed to detect high blood pressure and diabetes in members of the public and may promulgate reasonable rules and regulations necessary to carry out such a program. The director is to establish and maintain adequate testing facilities for the detection of such diseases at its state hygienic laboratories and shall establish mobile testing facilities for the detection of such diseases in members of the public as the director finds is necessary to carry out the legislative purpose as is defined in section one of this article.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis  
Chairman Senate Committee  

Florence G. Chrisman  
Chairman House Committee  

Originated in the Senate.

In effect ninety days from passage.

Robert K. Byrd  
Clerk of the Senate  

C.A. Blankenship  
Clerk of the House of Delegates  

W.T. Battle, Jr.  
President of the Senate

Lewis F. Manze  
Speaker House of Delegates  

The within is approved this the 16th day of March, 1976  

Aubrey Thompson  
Governor