WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1978

ENROLLED
SENATE BILL NO. 369

(By Mr. Rogers)

PASSED March 9, 1978

In Effect from Passage
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Senate Bill No. 369
(By Mr. Rogers)

[Passed March 9, 1978; in effect from passage.]

AN ACT to amend and reenact sections one, two, three and four, article twenty-two, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the establishment of hypothyroid testing facilities and procedures for newborn infants by the state health department.

Be it enacted by the Legislature of West Virginia:

That sections one, two, three and four, article twenty-two, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 22. DETECTION AND CONTROL OF PHENYLKETONURIA AND HYPOTHYROIDISM IN NEWBORN CHILDREN.

§16-22-1. Findings.

1 The Legislature finds that phenylketonuria and hypothyroidism, genetic defects affecting body metabolism, are usually associated with mental retardation. Laboratory tests are readily available to aid in the detection of these diseases and the hazards to health of those suffering thereof may be lessened or prevented by early detection and treatment. Damage from these diseases, if untreated in the early months of life, is usually rapid and not appreciably affected by treatment.

§16-22-2. Program to combat mental retardation; rules and regulations; facilities for making tests.

1 The state department of health is hereby authorized to establish and carry out a program designed to combat mental retardation in our state's population due to
phenylketonuria and hypothyroidism, 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 and hypothyroidism. Tests shall be made by such laboratory of specimens upon request by physicians, hospital medical personnel and other individuals attending newborn infants. The state department of health is authorized to establish additional laboratories throughout the state to perform tests for the detection of phenylketonuria and hypothyroidism.

§16-22-3. Tests for phenylketonuria and hypothyroidism; reports; assistance to afflicted children.

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

2 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 or hypothyroidism.

§16-22-4. Penalties for violating provisions of article.

1 Any person violating the provisions of this article shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than twenty-five nor more than fifty dollars. Violation of each such provision shall be considered a separate offense.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Christman
Chairman House Committee

Originated in the Senate.

To take effect from passage.

J. Williams
Clerk of the Senate

W. Blankenship
Clerk of the House of Delegates

W. D. Bruton
President of the Senate

Donald L. Zapp
Speaker House of Delegates

The within _______________ this the ____________

day of __________________, 1978.

[Signature]
Governor
RECEIVED
Mar 13 2:16 PM '78
OFFICE OF THE GOVERNOR

APPROVED AND SIGNED BY THE GOVERNOR

Date: March 21, 1978
Time: 12:30 p.m.