

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1978



ENROLLED

SENATE BILL NO. 369

(By Mr. Rogers)



PASSED March 9, 1978

In Effect from Passage



ENROLLED
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 hypo-
2 thyroidism, genetic defects affecting body metabolism,
3 are usually associated with mental retardation. Labora-
4 tory tests are readily available to aid in the detection of
5 these diseases and the hazards to health of those suffering
6 thereof may be lessened or prevented by early detection
7 and treatment. Damage from these diseases, if untreated
8 in the early months of life, is usually rapid and not ap-
9 preciably 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
2 establish and carry out a program designed to combat
3 mental retardation in our state's population due to

4 phenylketonuria and hypothyroidism, and may adopt
5 reasonable rules and regulations necessary to carry out
6 such a program. The department of health shall establish
7 and maintain facilities at its state hygienic laboratory for
8 testing specimens for the detection of phenylketonuria
9 and hypothyroidism. Tests shall be made by such labora-
10 tory of specimens upon request by physicians, hospital
11 medical personnel and other individuals attending new-
12 born infants. The state department of health is authorized
13 to establish additional laboratories throughout the state
14 to perform tests for the detection of phenylketonuria
15 and hypothyroidism.

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

1 The physician attending a newborn child or any person
2 attending a newborn child not under the care of a phy-
3 sician shall cause to be made a test for phenylketonuria
4 and hypothyroidism approved by the state department
5 of health. Any test found positive for phenylketonuria
6 or hypothyroidism shall be promptly reported to the
7 state department of health by the director of the labora-
8 tory 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 or hypothyroidism.

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

1 Any person violating the provisions of this article
2 shall be guilty of a misdemeanor, and, upon conviction
3 thereof, shall be fined not less than twenty-five nor more
4 than fifty dollars. Violation of each such provision shall
5 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

Lawrence B. Chouston Jr.
Chairman House Committee

Originated in the Senate.

To take effect from passage.

J. C. Hillman Jr.
Clerk of the Senate

W. Blankenship
Clerk of the House of Delegates

W. T. Bratherton Jr.
President of the Senate

Donald L. Stopp
Speaker House of Delegates

The within is approved this the 21

day of March, 1978.

J. L. Ray
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.

RECEIVED
78 MAR 27 411:52
OFFICE
SECY. OF STATE