



**ENROLLED**  
**Senate Bill No. 72**  
(BY MR. WISE)

[Passed March 12, 1982; in effect ninety days from passage.]

AN ACT to amend and reenact sections one, two and three, article twenty-two, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the detection and control of phenylketonuria and hypothyroidism in newborn children; adding galactosemia.

*Be it enacted by the Legislature of West Virginia:*

That sections one, two and three, 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, GALACTOSEMIA, AND HYPOTHYROIDISM IN NEWBORN CHILDREN.**

**§16-22-1. Findings.**

1 The Legislature finds that phenylketonuria, galactos-  
2 emia and hypothyroidism, genetic defects affecting body  
3 metabolism, are usually associated with mental retarda-  
4 tion. Laboratory tests are readily available to aid in the  
5 detection of these diseases and the hazards to health of  
6 those suffering thereof may be lessened or prevented by  
7 early detection and treatment. Damage from these  
8 diseases, if untreated in the early months of life, is  
9 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  
2 establish and carry out a program designed to combat

3 mental retardation in our state's population due to phenyl-  
4 ketonuria, galactosemia and hypothyroidism, and may  
5 adopt reasonable rules and regulations necessary to carry  
6 out such a program. The department of health shall  
7 establish and maintain facilities at its state hygienic  
8 laboratory for testing specimens for the detection of  
9 phenylketonuria, galactosemia and hypothyroidism.  
10 Tests shall be made by such laboratory of specimens upon  
11 request by physicians, hospital medical personnel and  
12 other individuals attending newborn infants. The state  
13 department of health is authorized to establish additional  
14 laboratories throughout the state to perform tests for the  
15 detection of phenylketonuria, galactosemia and hypothy-  
16 roidism.

**§16-22-3. Tests for phenylketonuria, galactosemia and hypo-  
thyroidism; reports; 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 galactosemia and hypothyroidism approved by the state  
5 department of health. Any test found positive for phenyl-  
6 ketonuria, galactosemia or hypothyroidism shall be  
7 promptly reported to the state department of health by  
8 the director of the laboratory 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, galactosemia or hypothyroidism.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*R. P. Baylo*  
Chairman Senate Committee

*Tony E. Whitlow*  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

*Jedd C. Watts*  
Clerk of the Senate

*VA Blankenship*  
Clerk of the House of Delegates

*Warren R. McFaroo*  
President of the Senate

*Walter M. Lee, Jr.*  
Speaker House of Delegates

The within *is approved* this the *22*  
day of *March*, 1982.

*John R. Sawyer*  
Governor

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SECY.