

No: 1668

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-15-83

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983



ENROLLED

Com. Sub. for
HOUSE BILL No. 1668

(By Mr. Kelly & Mrs. Brown)



Passed March 3, 1983

In Effect Ninety Days From Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 1668

(By MR. KELLY and MRS. BROWN)

[Passed March 3, 1983; in effect ninety days from passage.]

AN ACT to amend article five-c, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section eighteen, relating to nursing and personal care homes; providing that each patient's personal funds shall be kept in a separate account; requiring consent for use; requiring records; and providing penalties.

Be it enacted by the Legislature of West Virginia:

That article five-c, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section eighteen, to read as follows:

ARTICLE 5C. NURSING AND PERSONAL CARE HOMES.

§16-5C-18. Separate accounts for patient's personal funds; consent for use; records; penalties.

- 1 (a) Each nursing home and personal care home subject to
- 2 the provisions of this article shall hold in a separate account
- 3 and in trust each patient's personal funds deposited with the
- 4 facility.

5 (b) No person may use or cause to be used for any purpose
6 the personal funds of any patient admitted to any such fa-
7 cility unless consent for the use thereof has been obtained
8 from the patient or from a committee or guardian or relative.

9 (c) Each nursing home and personal care home shall main-
10 tain a true and complete record of all receipts for any disburse-
11 ments from the personal funds account of each patient in the
12 facility, including the purpose and payee of each disbursement,
13 and shall render a true account of such record to the patient
14 or his representative upon demand and upon termination of
15 the patient's stay in the facility.

16 (d) Any person or corporation who violates any subsection
17 of this section is guilty of a misdemeanor, and, upon convic-
18 tion thereof, shall be fined not more than one thousand dollars,
19 or imprisoned in the county jail not more than one year, or
20 both fined and imprisoned.

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

James L. Davis
Chairman Senate Committee

Arnold Green
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Todd C. Miller
Clerk of the Senate

Donald L. Kopp
Clerk of the House of Delegates

Walter H. Jones
President of the Senate

W. M. Lee, Jr.
Speaker House of Delegates

The within *is approved* this the *15*
day of *March*, 1983.

John S. Delp
Governor

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SECY. OF STATE