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APPROVED AND SIGNED BY THE GOVERNOR

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OFFICE OF THE GOVERNOR

Date 3-27-83

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983



ENROLLED

HOUSE BILL No. 1748

(By Mr. Jivens & Mrs. Theiling)



Passed March 9, 1983

In Effect Ninety Days From Passage



ENROLLED

H. B. 1748

(By MR. GIVENS and MRS. THEILING)

[Passed March 9, 1983; in effect ninety days from passage.]

AN ACT to amend and reenact section four-a, article three, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the compulsory testing for tuberculosis of school children and school personnel; X-ray required only if medically indicated.

Be it enacted by the Legislature of West Virginia:

That section four-a, article three, 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 3. PREVENTION AND CONTROL OF COMMUNICABLE,
AND OTHER INFECTIOUS DISEASES.**

**§16-3-4a. Compulsory testing for tuberculosis of school children
and school personnel; X-rays required for reactors;
suspension from school or employment for pupils and
personnel found to have tuberculosis in a communi-
cable stage.**

1 All kindergarten pupils and all first grade pupils who have
2 not had an approved tuberculin skin test in kindergarten and
3 all students transferring from a school located outside this state
4 shall furnish a certificate from a licensed physician stating that
5 a tuberculin skin test approved by the director of the depart-
6 ment of health has been made within four months' prior to
7 the beginning of the school year, unless such pupil has moved
8 to this state from another state less than four months prior to

9 starting the school year, in which event such pupil shall have
10 such test as soon in advance of the start of the school as is
11 reasonable, or if the school year has already started, the pupil
12 shall take such test within one month of the time he enters
13 school. Test results must be recorded on the certificate. Posi-
14 tive reactors to the skin test must be immediately evaluated
15 by a physician and, if medically indicated, X-rayed, and re-
16 ceive periodic X-rays thereafter, when medically indicated.
17 Pupils found to have tuberculosis in a communicable stage
18 will not be allowed to attend school until their disease has been
19 arrested and is no longer communicable.

20 All school personnel shall have an approved tuberculin skin
21 test at time of employment and once every two years or more
22 frequently if medically indicated. Positive reactors to the skin
23 test are to be immediately referred to a physician for evalua-
24 tion and indicated treatment or further studies. The county
25 health officer shall be responsible for arranging proper follow-
26 up of school personnel and students who are unable to obtain
27 physician evaluation for a converted tuberculin skin test.
28 School personnel found to have tuberculosis in a communi-
29 cable stage shall have their employment discontinued or sus-
30 pended until their disease has been arrested and is no longer
31 communicable. School personnel who have not had the re-
32 quired examination will be suspended from employment until
33 reports of examination are confirmed.

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

[Handwritten Signature]

Chairman Senate Committee

[Handwritten Signature]

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

[Handwritten Signature]

Clerk of the Senate

[Handwritten Signature]

Clerk of the House of Delegates
[Handwritten Signature]

President of the Senate

[Handwritten Signature]

Speaker House of Delegates

The within is approved this the 27
day of March, 1983.

[Handwritten Signature]

Governor

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SECY. OF STATE