WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1984

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ENROLLED

SENATE BILL NO. 657

(By Mr. [Signature])

PASSED
March 8, 1984

In Effect [Signature] from Passage
ENROLLED

Senate Bill No. 657
(By Mr. McGraw, Mr. President, and Ms. Chace)

[Passed March 8, 1984; in effect ninety days from passage.]

AN ACT to amend and reenact section seven, article one, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to clarifying that responsibility for decisions relating to admission, discharge, and program planning in facilities for the mentally retarded lies with the superintendent or the superintendent's designee, rather than with the clinical director or chief medical officer.

Be it enacted by the Legislature of West Virginia:

That section seven, article one, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 1. WORDS AND PHRASES DEFINED.

§27-1-7. Superintendent and clinical director.

1 (a) The superintendent of a state hospital shall be the chief executive officer and shall have the authority to manage and administer the financial, business and personnel affairs of such state hospital. All other persons employed at a state hospital shall be under the jurisdiction and authority of the superintendent of such state hospital.

8 (b) The clinical director of a state hospital shall have the responsibility for decisions involving clinical and
medical treatment of patients and shall be a physician. The clinical director of a state hospital shall be a person other than the superintendent of such state hospital.

(c) In any facility designated by the director of health as a facility for the mentally retarded in which programs and services are designed primarily to provide education, training and habilitation rather than medical or psychiatric treatment, the duties and responsibilities, other than those directly related to medical treatment services, assigned to the clinical director by this section or elsewhere in this chapter, shall be assigned to and become the responsibility of the superintendent of such facility, who need not be a physician, or of a person with expertise in the field of mental retardation, who need not be a physician, designated by the superintendent.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Donald Anello
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Fred A. Hub
Clerk of the Senate

Daniel L. Vega
Clerk of the House of Delegates

Walter B. McQuary
President of the Senate

J. L. Redfern, Jr.
Speaker House of Delegates

The within is approved this the 30

day of March, 1984.

John D. Noyes
Governor