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WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1984



ENROLLED

SENATE BILL NO. 657

(By Mr. McLoud, Mr. President, Mrs. Case)



PASSED March 8 1984

In Effect ninty days 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
2 chief executive officer and shall have the authority to
3 manage and administer the financial, business and per-
4 sonnel affairs of such state hospital. All other persons
5 employed at a state hospital shall be under the jurisdic-
6 tion and authority of the superintendent of such state
7 hospital.

8 (b) The clinical director of a state hospital shall have
9 the responsibility for decisions involving clinical and

10 medical treatment of patients and shall be a physician.
11 The clinical director of a state hospital shall be a person
12 other than the superintendent of such state hospital.

13 (c) In any facility designated by the director of health
14 as a facility for the mentally retarded in which programs
15 and services are designed primarily to provide education,
16 training and habilitation rather than medical or psychi-
17 atric treatment, the duties and responsibilities, other than
18 those directly related to medical treatment services, as-
19 signed to the clinical director by this section or elsewhere
20 in this chapter, shall be assigned to and become the res-
21 ponsibility of the superintendent of such facility, who
22 need not be a physician, or of a person with expertise in
23 the field of mental retardation, who need not be a phy-
24 sician, 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.

Todd C. Wuts
Clerk of the Senate

Donald L. Stapp
Clerk of the House of Delegates

Warren R. McAnaw
President of the Senate

John H. Lee, Jr.
Speaker House of Delegates

The within *is approved* this the *30*

day of *March*, 1984.

[Signature]
Governor

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