

No. 167

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1986

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ENROLLED

SENATE BILL NO. 167

(By Senators Ash and Holliday)

—•—

PASSED March 8, 1986

In Effect 90 days from Passage



**ENROLLED**  
**Senate Bill No. 167**  
**(BY SENATORS ASH AND HOLLIDAY)**

[Passed March 8, 1986; in effect ninety days from passage.]

AN ACT to amend and reenact section five, article two-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the powers and duties of county or municipal health officers; permitting medical or surgical services to inmates of county or municipal jails and requiring reports of those services; and establishing payment to the local board of health for provision of such services.

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

That section five, article two-a, 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 2A. ALTERNATIVE METHOD OF ORGANIZING LOCAL HEALTH AGENCIES.**

**§16-2A-5. Powers and duties of county or municipal health officers; required reporting of diseases.**

1     The county or municipal health officer appointed by any  
2     local board of health created pursuant to the provisions  
3     of this article shall be the executive officer of such board  
4     of health. Under the supervision of the board, he or she  
5     shall administer the provisions of this article, all other  
6     laws of this state relating to public health and applicable  
7     to his or her county or municipality, and the rules, regu-  
8     lations and orders of such county or municipal board of

9 health and of the state board of health, so far as such  
10 rules, regulations and orders are applicable to his or her  
11 county or municipality.

12 Such health officer shall attend, but not vote, at all  
13 meetings of his or her county or municipal board of  
14 health. He or she shall act as secretary of such board and  
15 shall be in charge of its offices. He or she shall supervise  
16 and direct the activities of county or municipal health  
17 services, employees and facilities except that the duties  
18 of such health officer shall not include the rendering of  
19 medical or surgical services on an individual basis to  
20 wards of the county or municipality. The county health  
21 officer or his or her designated representative shall de-  
22 termine when corrections have been made sufficient to  
23 warrant removal of any restriction or limitation placed  
24 by an employee under his or her supervision.

25 The duties of such health officer may include the ren-  
26 dering of medical or surgical services on an individual  
27 basis to inmates of any public institution operated or  
28 maintained by any county commission or municipality.  
29 The county commission or municipality shall reimburse  
30 the local board of health an agreed amount for the provi-  
31 sion of these services. The health officer shall file reports  
32 in a timely manner, but no less frequently than once each  
33 twelve months with the county commission or municipal-  
34 ity, as the case may be, naming the medical or surgical  
35 service rendered and the person to whom rendered.

36 It shall be the duty of every practicing physician to  
37 report to the municipal or county health officer, where  
38 there is such official, immediately on diagnosis, those  
39 diseases or conditions for which a report is required by  
40 the state board of health and in the manner specified by  
41 the state health director which may arise or come under  
42 the physician's treatment. Any health officer receiving  
43 such reports shall make to the state director of health  
44 a weekly report in a manner specified by the director of  
45 health.

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

Bruce O. Williams  
Chairman Senate Committee

Floyd Fuller  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Todd C. Miller  
Clerk of the Senate

Donald G. Kopp  
Clerk of the House of Delegates

Sam Torbert  
President of the Senate

Joseph P. Allright  
Speaker House of Delegates

The within approved this the 25<sup>th</sup>  
day of March, 1986.

Arthur A. Maue Jr.  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/20/86

Time 3:35 p.m.

RECEIVED

1963 MAR 23 PM 4:30

OFFICE OF THE  
SECRETARY OF STATE

FILED IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA

THIS DATE 3/26/86