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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1992

— ● —

ENROLLED

HOUSE BILL No. 4011

(By Delegate PETTIT)

— ● —

Passed MARCH 7, 1992

In Effect NINETY DAYS FROM Passage

ENROLLED
H. B. 4011
(By DELEGATE PETTIT)

[Passed March 7, 1992; in effect ninety days from passage.]

AN ACT to amend article two, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twenty-seven, relating to crimes against the person; and requiring reporting of gunshot and other wounds by medical providers; and immunity solely for reporting.

Be it enacted by the Legislature of West Virginia:

That article two, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section twenty-seven, to read as follows:

ARTICLE 2. CRIMES AGAINST THE PERSON.

§61-2-27. Required reporting of gunshot and other wounds.

- 1 (a) Any medical provider who provides medical
- 2 treatment to a person suffering from a wound caused
- 3 by a gunshot or a knife or other sharp or pointed
- 4 instrument, under circumstances which would lead a
- 5 reasonable person to believe resulted from a violation of
- 6 the criminal laws of this state, shall report the same to
- 7 a law-enforcement agency located within the county
- 8 within which such wound is treated. The report shall be

9 made initially by telephone and shall be followed by a
10 written report delivered to such agency within forty-
11 eight hours following the initial report: *Provided*, That
12 where two or more persons participate in the medical
13 treatment of such wound, the obligation to report
14 imposed by this section shall apply only to the attending
15 physician or, if none, to the person primarily responsible
16 for providing the medical treatment.

17 (b) Any medical provider person who in good faith
18 reports a wound described in subsection (a) of this
19 section shall be immune from any civil liability which
20 may otherwise result solely from reporting the same.

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

Harmon Beck

Chairman Senate Committee

Ernest C Moore

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Samuel E. Adams

Clerk of the Senate

Donald L Karp

Clerk of the House of Delegates

President of the Senate

Robert C. Cole

Speaker of the House of Delegates

The within *is approved* this the *30th*
day of *March* 1992.

Gaston Caperton

Governor

PRESENTED TO THE

GOVERNOR

Date 3/27/92

Time 3:48 pm