WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1993

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ENROLLED

SENATE BILL NO. 75

(By Senator Blatnik, et al.)

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PASSED April 10, 1993

In Effect 90 days from Passage
ENROLLED

Senate Bill No. 75

(BY SENATORS BLATNIK, HOLLIDAY AND BOLEY)

[Passed April 10, 1993; in effect ninety days from passage.]

AN ACT to amend and reenact section ten, article five, chapter twenty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the development of alternative transportation systems to mental health facilities or state hospitals for individuals as required by statute.

Be it enacted by the Legislature of West Virginia:

That section ten, article five, 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 5. INVOLUNTARY HOSPITALIZATION.

§27-5-10. Transportation for the mentally ill, mentally retarded or addicted.

1 (a) Whenever transportation of an individual is required under the provisions of article four or five of this chapter, it shall be the duty of the sheriff to provide immediate transportation to or from the appropriate mental health facility or state hospital:

Provided, That upon the written request of a person having a proper interest in the individual’s hospitalization, the sheriff may permit such person to arrange
for the individual’s transportation to the mental health facility or state hospital by such means as may be suitable for that person’s mental condition.

(b) Upon written agreement between the county commission on behalf of the sheriff and the directors of the local community mental health center and emergency medical services, an alternative transportation program may be arranged. The agreement shall clearly define the responsibilities of each of the parties, the requirements for program participation and the persons bearing ultimate responsibility for the individual’s safety and well-being.

(c) Nothing in this section is intended to alter security responsibilities for the patient by the sheriff unless mutually agreed upon as provided in subsection (b) above.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the 23rd day of April, 1993.

Governor
PRESENTED TO THE
GOVERNOR
Date 4/19/93
Time 9:48am