

**WEST VIRGINIA LEGISLATURE**

REGULAR SESSION, 1993



**ENROLLED**

**SENATE BILL NO.** 75

(By Senator Blatnik, et al)



**PASSED** April 10, 1993

In Effect 90 days from **Passage**

**E N R O L L E D**

**Senate Bill No. 75**

(BY SENATORS BLATNIK, HOLLIDAY AND BOLEY)

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

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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  
2 required under the provisions of article four or five of  
3 this chapter, it shall be the duty of the sheriff to  
4 provide immediate transportation to or from the  
5 appropriate mental health facility or state hospital:  
6 *Provided*, That upon the written request of a person  
7 having a proper interest in the individual's hospitali-  
8 zation, the sheriff may permit such person to arrange

9 for the individual's transportation to the mental health  
10 facility or state hospital by such means as may be  
11 suitable for that person's mental condition.

12 (b) Upon written agreement between the county  
13 commission on behalf of the sheriff and the directors  
14 of the local community mental health center and  
15 emergency medical services, an alternative transporta-  
16 tion program may be arranged. The agreement shall  
17 clearly define the responsibilities of each of the  
18 parties, the requirements for program participation  
19 and the persons bearing ultimate responsibility for the  
20 individual's safety and well-being.

21 (c) Nothing in this section is intended to alter  
22 security responsibilities for the patient by the sheriff  
23 unless mutually agreed upon as provided in subsection  
24 (b) above.

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

*[Handwritten Signature]*  
.....  
Chairman Senate Committee

*[Handwritten Signature]*  
..... Ernest C. Moore  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*[Handwritten Signature]*  
.....  
Clerk of the Senate

*[Handwritten Signature]*  
.....  
Clerk of the House of Delegates

*[Handwritten Signature]*  
.....  
President of the Senate

*[Handwritten Signature]*  
.....  
Speaker House of Delegates

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

*[Handwritten Signature]*  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date 4/19/93

Time 9:48am