

SB 0440

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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1995



ENROLLED

COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 442

(By Senator WAUCER, ET AL)



PASSED MARCH 9, 1995
In Effect 90 days FROM Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 442

(SENATORS WALKER, HELMICK, ANDERSON,
BAILEY, PLYMALE AND ROSS, ORIGINAL SPONSORS)

[Passed March 9, 1995; 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-a, relating to required reporting of burns.

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-a, to read as follows:

ARTICLE 2. CRIMES AGAINST THE PERSON.

§61-2-27a. Required reporting of burns.

- 1 (a) Any health care provider who examines or renders
- 2 medical treatment to a person suffering from an injury

3 caused by a burn resulting from fire or a chemical, where
4 the circumstances under which the examination is made
5 or treatment is rendered, or where the condition of the
6 injury gives the health care provider reasonable cause to
7 suspect that the injury occurred during the commission,
8 or attempted commission, of an arson as defined in
9 article three of this chapter, shall report the same to the
10 office of the state fire marshal. A written report shall be
11 made by the provider, or by an employee or agent of the
12 provider at the direction of the provider, to the office of
13 the state fire marshal within forty-eight hours after the
14 initial report: *Provided*, That where two or more health
15 care providers participate in the examination or treat-
16 ment of such injury, the obligation to report imposed by
17 this section applies only to the attending physician or, if
18 none, to the person primarily responsible for providing
19 medical treatment for the injury.

20 (b) Any health care provider who in good faith makes
21 or causes to be made a report pursuant to subsection (a)
22 of this section is immune from any civil liability which
23 may otherwise arise as the result of making such report.

24 (c) Within available funding and as may be determined
25 necessary by the state fire marshal, the state fire marshal
26 shall conduct educational programs for persons required
27 to report injuries under this section.

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

Randy Schorover
.....
Chairman Senate Committee

Ernest E Moore
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Harold R. Platts
.....
Clerk of the Senate

Donald L. Kapp
.....
Clerk of the House of Delegates

Earl Ray Tomblin
.....
President of the Senate

Paul E. C. ...
.....
Speaker House of Delegates

The within is approved..... this the *20th*.....

day of *March*..... 1995.

Gaston Caperton
.....
Governor

PRESENTED TO THE

GOVERNOR,

Date 3/17/95

Time 3:33 pm