WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1995

ENROLLED

Committee Substitute for
SENA TE BILL NO. 442

(By Senator WaLker, et al.)

PASSED March 9, 1995

In Effect 90 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.

(a) Any health care provider who examines or renders medical treatment to a person suffering from an injury
caused by a burn resulting from fire or a chemical, where
the circumstances under which the examination is made
or treatment is rendered, or where the condition of the
injury gives the health care provider reasonable cause to
suspect that the injury occurred during the commission,
or attempted commission, of an arson as defined in
article three of this chapter, shall report the same to the
office of the state fire marshal. A written report shall be
made by the provider, or by an employee or agent of the
provider at the direction of the provider, to the office of
the state fire marshal within forty-eight hours after the
initial report: Provided, That where two or more health
care providers participate in the examination or treat-
ment of such injury, the obligation to report imposed by
this section applies only to the attending physician or, if
none, to the person primarily responsible for providing
medical treatment for the injury.

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

(c) Within available funding and as may be determined
necessary by the state fire marshal, the state fire marshal
shall conduct educational programs for persons required
to report injuries under this section.
That 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 24th day of March 1995.

Governor