

1 **H. B. 2216**

2
3 (By Delegate Walters)

4 [Introduced January 12, 2011; referred to the
5 Committee on Health and Human Resources then the
6 Judiciary.]
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10 A BILL to amend and reenact §16-2B-2 of the Code of West Virginia,
11 1931, as amended, relating to prohibiting family planning
12 centers in West Virginia that receive state funding from
13 discussing abortion or abortion referrals.

14 *Be it enacted by the Legislature of West Virginia:*

15 That §16-2B-2 of the Code of West Virginia, 1931, as amended,
16 be amended and reenacted to read as follows:

17 **ARTICLE 2B. FAMILY PLANNING AND CHILD SPACING.**

18 **§16-2B-2. Local boards of health authorized to establish clinics;**
19 **supervision; purposes; abortion not approved; approval**
20 **by state board of programs.**

21 A local board of health, created and maintained pursuant to
22 the provisions of article two or article two-a of this chapter, is
23 authorized to establish and operate within its jurisdiction, one or

1 more family planning and child spacing clinics under the
2 supervision of a licensed physician for the purpose of
3 disseminating information, conducting medical examinations and
4 distributing family planning and child spacing appliances, devices,
5 drugs, approved methods and medication without charge to indigent
6 and medically indigent persons on request and with the approval of
7 said licensed physician. ~~Such~~ The information, appliances,
8 devices, drugs, approved methods and medication ~~shall~~ may be
9 dispensed only in accordance with the recipients' expressed wishes
10 and beliefs and in accordance with all state and federal laws for
11 the dispensing of legend drugs: *Provided*, That the procedure of
12 abortion ~~shall not be considered~~ is not an approved method of
13 family planning and child spacing within the intent of this section
14 and is expressly excluded from the programs ~~herein~~ authorized in
15 this section. In addition, no employee or representative of any
16 family planning center in this state that receives state funding
17 may discuss the prospect of abortion with any person seeking family
18 planning services. Nor may they make a referral to any person
19 seeking family planning services for an abortion. This section
20 does not endorse, allow, permit or approve of any abortion. All
21 local boards of health receiving state or federal funds for family
22 planning or child spacing programs shall first receive approval by
23 ~~the state Board of Health~~ Department of Health and Human Resources
24 of their general plan of operation of ~~such~~ the programs.

NOTE: The purpose of this bill is to prohibit family planning centers in West Virginia that receive state funding from discussing abortion or abortion referrals.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.