

Senate Bill No. 637

(By Senators M. Hall, Barnes and Carmichael)

[Introduced March 25, 2013; referred to the Committee on the
Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §55-7-27, relating to limiting medical monitoring in civil actions concerning hazardous or toxic substances to two years; and providing that this limitation applies to actions filed after July 1, 2013.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §55-7-27, to read as follows:

ARTICLE 7. ACTIONS FOR INJURIES.

§55-7-27. Medical monitoring; limitation; effective date.

There is no cause of action, or liability for, diagnostic medical examinations or medical monitoring tests or procedures for the detection of disease for individuals exposed to an alleged

1 hazardous or toxic substance to exceed the length of two years.
2 However, this section does not apply to actions filed on or before
3 July 1, 2013.

NOTE: The purpose of this bill is to limit medical monitoring in civil lawsuits concerning hazardous or toxic substances to two years. The bill provides that this limitation applies to actions filed after July 1, 2013.

This section is new; therefore, strike-throughs and underscoring have been omitted.