

# WEST VIRGINIA LEGISLATURE

## 2018 REGULAR SESSION

**Introduced**

### **House Bill 4215**

**FISCAL  
NOTE**

BY DELEGATES LANE, WESTFALL, KELLY, WHITE,

HANSHAW AND FRICH

[Introduced January 19, 2018; Referred  
to the Committee on Health and Human Resources  
then the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §16-46-7, relating to the involuntary hospitalization of persons administered  
 3 opioid antagonists.

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

**ARTICLE 46. ACCESS TO OPIOID ANTAGONISTS ACT.**

**§16-46-7. Involuntary hospitalization of persons administered opioid antagonists.**

1 Beginning January 1, 2019:

2 (a) Any person who has been administered an opioid antagonist by an initial responder  
 3 shall be subject to the involuntary hospitalization provision of §27-5-3 of this code.

4 (b) Administration of an opioid antagonist shall constitute a waiver of the requirements for  
 5 a probable cause hearing under §27-5-2 of this code.

6 (c) Further proceedings involving an individual involuntarily hospitalized under the  
 7 provisions of this section shall be consistent with the remaining provisions of §27-5-1 et seq. of  
 8 this code.

NOTE: The purpose of this bill is to involuntary hospitalize a person administered an opioid antagonist by an initial responder.

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