WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4349

By Delegates Pritt, Haynes, Ferrell, D. Jeffries, Dean, Phillips, J. Jeffries, J. Kelly, Maynor, Graves, and Kimble

[Introduced January 24, 2022; Referred to the Committee on Health and Human Resources]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-39-9, relating to permitting parents or guardians visit a minor patient in a health care facility.

Be it enacted by the Legislature of West Virginia:

Article 39. Patient Safety Act.

§16-39-9. Child’s right to accompaniment by parents or guardians at medical appointments.

(a) Notwithstanding a health care facility’s visitation policy, a child has the right to be accompanied by his or her parents or guardians to an appointment in a health care facility: *Provided,* That visitation permitted by any health care facility may not be inconsistent with any applicable federal law, rule, policy, or guidance in effect.

(b) A visitor shall comply with the applicable procedures established by the health care facility.

(c) The health care facility may deny a visitor entry to the health care facility, may subject a visitor to expulsion from the facility, or may permanently revoke visitation rights to a visitor who does not comply with the applicable procedures established by the health care facility.

NOTE: The purpose of this bill is to create the right that a patient can be visited by every parent or guardian of that patient.

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