

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**Introduced**

### **Senate Bill 272**

BY SENATORS RUCKER, GRADY, WOODRUM, AND

MAYNARD

[Introduced January 14, 2022; referred to  
the Committee on the Workforce; and then to the  
Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §16-29-3, relating to medical information; providing that persons are not  
3 required to provide medical or health information as a condition of gaining or maintaining  
4 employment; and providing liability if the section is violated.

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

**ARTICLE 29. HEALTH CARE RECORDS.**

**§16-29-3. The West Virginia Medical Protection Act.**

1 (a) No person shall be required to provide any medical information or health information  
2 as a condition of gaining or maintaining employment with any state entity or any of its political  
3 subdivisions.  
4 (b) Any state entity or any political subdivision shall be liable for damages if it is shown to  
5 have violated this section.

NOTE: The purpose of this bill is to protect employees from having to provide medical or health information in order to gain or maintain employment. The section provides for damages if the section is violated.

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