

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4939

By Delegates Crouse, Petitto, Smith, and Young

[Introduced January 19, 2024; Referred to the
Committee on Health and Human Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §30-3-21, relating to requiring informed consent before medical students
3 perform or take part in certain medical procedures.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. WEST VIRGINIA MEDICAL PRACTICE ACT.

§30-3-21. Banning certain practices by medical students without confirmed consent.

1 (a) Patients must give informed consent before any medical student performs or is present
2 for an intimate exam while the patient is anesthetized. Examples of prohibited practices shall
3 include pelvic, breast, rectal, prostate, or other intimate exams.

4 (b) This requirement shall be waived in the event of a medical emergency.

5 (c) This requirement shall become effective on July 1, 2024.

NOTE: The purpose of this bill is to require informed consent before medical students perform or are present for certain medical procedures.

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