WEST virginia legislature

2024 regular session

Committee Substitute

for

House Bill 5361

By Delegate Rohrbach

[Originating in the Committee on Health and Human Resources; Reported on February 13, 2024]

A BILL to repeal §16-3-4a of the Code of West Virginia, 1931, as amended, and to amend said code by adding thereto a new section, designated §16B-3-21, relating to allowing influenza immunizations to be offered to hospital patients.

Be it enacted by the Legislature of West Virginia:

CHAPTER 16. PUBLIC HEALTH.

ARTICLE 3. PREVENTION AND CONTROL OF COMMUNICABLE AND OTHER INFECTIOUS DISEASES.

§16-3-4a. Influenza Immunizations.

[Repealed.]

CHAPTER 16B. INSPECTOR GENERAL.

ARTICLE 3. HOSPITALS AND SIMILAR INSTITUTIONS.

§16B-3-21. Influenza Immunizations.

(a) A hospital shall offer to an inpatient who is 50 years of age or older an influenza immunization prior to discharge from October 1 of every year and continuing through March 1 of the following year.

(b) The immunizations may not be offered in cases where the immunization is contraindicated.

(c) The requirements of this section are subject to the availability for sufficient influenza immunizations.

(d) Nothing in this section may be construed to require an influenza immunization as a condition of receiving any type of service or as a condition of discharge.

NOTE: The purpose of this bill is to allow influenza immunizations to be offered to patients and residents of specified facilities on a voluntary basis based upon recommendations of the Center for Disease Control.

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