WEST virginia legislature

2022 regular session

Committee Substitute

for

Senate Bill 652

By Senators Woodrum, Boley, Clements, Grady, Karnes, Phillips, Roberts, Stover, Sypolt, Trump, Martin, Hamilton, Smith, and Rucker

[Originating in the Committee on Health and Human Resources; reported on February 25, 2022]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-5B-20, relating to prohibiting hospitals from refusing to receive and delaying the reception of patients presented by emergency medical services; and defining the minimum duty of the hospital.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5B. HOSPITALS AND SIMILAR INSTITUTIONS.

§16-5B-20. Prohibition on refusal to receive and treat emergency patients.

No hospital licensed under this article shall refuse to receive, treat, or delay the receipt of a patient when transported and presented to the hospital by an emergency medical services provider. When a patient is presented to the emergency department of a hospital, the hospital shall accept and receive the patient within 60 minutes of arrival in the emergency department and relieve the emergency medical service of any further obligation to treat or provide care to the patient. The hospital shall, at a minimum, provide emergency care to the patient until he or she may be placed at a suitable in-patient health care facility or until the patient may be safely released from in-patient care.