WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3297

By Delegate Young

[Introduced February 06, 2023; 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 §30-3-20, relating to providing that patients undergoing medical procedures may refuse to have such procedures observed by residents and medical students at the hospital.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. west virginia medical practice act.

§30-3-20. Patient right to refuse observation by residents and medical students.

(a) *Legislative findings*. – West Virginia currently does not have protections for those persons underdoing medical procedures to refuse to have those procedures observed by residents and medical students at the hospital. The Legislature finds that the sanctity and safety of patients undergoing medical procedures is of great importance, particularly when patients are underdoing intimate procedures, or procedures that involve patient nudity.

(b) *Enactment*. - Patients may refuse residents and medical students from observing or performing medical care on them. Each hospital shall implement a policy to ensure that patients are informed of their right to refuse such observations.

NOTE: The purpose of this bill is to allow for patients to refuse to have their procedures observed by residents of the hospital, or medical students.

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