

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]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §30-3-20, relating to providing that patients undergoing medical procedures
 3 may refuse to have such procedures observed by residents and medical students at the
 4 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.

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

6 (b) Enactment. - Patients may refuse residents and medical students from observing or
 7 performing medical care on them. Each hospital shall implement a policy to ensure that patients
 8 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.