WEST virginia legislature

2025 regular session

Introduced

Senate Bill 913

By Senator Chapman

[[Introduced March 24, 2025; referred
to the Committee on Health and Human Resources; and then to the Committee on Finance]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §15A-3-19, relating to brain injury screening training; requiring training in brain injury screening for personnel at the Division of Corrections and Rehabilitation; requiring screening of all incoming and currently incarcerated individuals for brain injuries; requiring that the screening processes be designed with input from a study group dealing with competency and criminal responsibility; and requiring specific agencies to enter a memorandum of understanding with one another.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. DIVISION OF CORRECTIONS AND REHABILITATION.

§15A-3-19. Brain injury screening training; brain injury screening study; memorandum of understanding.

(a) The Division of Corrections and Rehabilitation, through its medical provider, in conjunction with the West Virginia University Center for Excellence in Disabilities, shall train its personnel to conduct screenings for brain injury in the incarcerated population.

(b) By July 1, 2027, the Division of Corrections and Rehabilitation shall screen all incoming and currently incarcerated individuals for brain injury. Screening processes shall be designed with input from the study group formed by §27-6A-12 of this code.

(c) The Division of Corrections and Rehabilitation, the Division of Rehabilitation Services, and the Department of Veterans Assistance shall enter into a memorandum of understanding with the study group formed by §27-6A-12 of this code to permit sharing of confidential health records for purposes of collecting information pertinent to the study group’s duties.

NOTE: The purpose of this bill is to require the Division of Corrections and Rehabilitation to train its personnel to screen incoming and incarcerated individuals for brain injury with a screening process designed in conjunction with a study group. The bill lists the agencies that must enter a memorandum of understanding to share confidential health information that is pertinent to the study group's study.

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