

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 448

**FISCAL
NOTE**

By Senator Chapman

[[Introduced January 16, 2026; referred

to the Committee on the Judiciary; and then to the

Committee on Finance]]

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

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.

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

4 (b) By July 1, 2028, the Division of Corrections and Rehabilitation shall screen all incoming
5 and currently incarcerated individuals for brain injury. Screening processes shall be designed with
6 input from the study group formed by §27-6A-12 of this code.

7 (c) The Division of Corrections and Rehabilitation, the Division of Rehabilitation Services,
8 and the Department of Veterans Assistance shall enter into a memorandum of understanding with
9 the study group formed by §27-6A-12 of this code to permit sharing of confidential health records
10 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.