

H. B. 3190

(By Delegate Guthrie)
[Introduced February 18, 2011; referred to the
Committee on the Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new section, designated §61-6-26, relating to
creating the offense of obstructing health care facility
access; and penalty.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended
by adding thereto a new section, designated §61-6-26, to read as
follows:

ARTICLE 6. CRIMES AGAINST THE PEACE.

§61-6-26. Obstructing health care facility access; penalty.

(a) A person commits the offense of obstructing health care
facility access if the person knowingly obstructs, hinders or
blocks another person's entry into or exit from a health care
facility. Commission of the offense includes, but is not limited
to, knowingly approaching within eight feet of a person who is
entering or leaving a health care facility to give the person
written or oral information, to display a sign, or to protest,
counsel, or educate about a health issue, when the person does not

1 consent to that activity and is within thirty six feet of an
2 entrance to or exit from the health care facility.

3 (b) A person violating the provisions of this section is
4 guilty of a misdemeanor, and upon conviction thereof, shall be
5 fined not more than \$100.

6 (c) For purposes of this section, "health care facility" means
7 an office of a medical practitioner or any other facility or entity
8 that is licensed, certified, or otherwise authorized by law to
9 administer medical treatment in this state.

NOTE: The purpose of this bill is to create the offense of obstructing health care facility access, and to provide for a fine of not more than \$100 for violations.

This section is new; therefore, it has been completely underscored.