

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**Introduced**

### **Senate Bill 652**

BY SENATORS WOODRUM, BOLEY, CLEMENTS, GRADY,  
KARNES, PHILLIPS, ROBERTS, STOVER, SYPOLT, TRUMP,  
MARTIN, HAMILTON, AND SMITH

[Introduced February 16, 2022; 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 §16-5B-20, relating to prohibiting hospitals from refusing to receive and  
 3 delaying the reception of patients presented by emergency medical services; and defining  
 4 the minimum duty of the hospital.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 5B. HOSPITALS AND SIMILAR INSTITUTIONS.**

**§16-5B-20. Prohibition on refusal to receive and treat emergency patients.**

1 No hospital licensed under this article shall refuse to receive, refuse to treat, or  
 2 unreasonably delay the receipt of a patient when transported and presented to the hospital by an  
 3 emergency medical services provider. When a patient is presented to the emergency department  
 4 of a hospital, the hospital shall accept and receive the patient promptly and relieve the emergency  
 5 medical service of any further obligation to treat or provide care to the patient. The hospital shall,  
 6 at a minimum, provide emergency care to the patient until he or she may be placed at a suitable  
 7 in-patient health care facility or until the patient may be safely released from inpatient care.

NOTE: The purpose of this bill is to require hospitals to promptly receive patients transported to them by EMS providers.

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