

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

### **Committee Substitute**

**for**

### **Senate Bill 652**

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

[Originating in the Committee on Health and Human  
Resources; reported on February 25, 2022]

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, treat, or delay the receipt of  
2 a patient when transported and presented to the hospital by an emergency medical services  
3 provider. When a patient is presented to the emergency department of a hospital, the hospital  
4 shall accept and receive the patient within 60 minutes of arrival in the emergency department and  
5 relieve the emergency medical service of any further obligation to treat or provide care to the  
6 patient. The hospital shall, at a minimum, provide emergency care to the patient until he or she  
7 may be placed at a suitable in-patient health care facility or until the patient may be safely released  
8 from in-patient care.