

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Committee Substitute

for

House Bill 5361

By Delegate Rohrbach

[Originating in the Committee on Health and Human
Resources; Reported on February 13, 2024]

1 A BILL to repeal §16-3-4a of the Code of West Virginia, 1931, as amended, and to amend said
2 code by adding thereto a new section, designated §16B-3-21, relating to allowing influenza
3 immunizations to be offered to hospital patients.

Be it enacted by the Legislature of West Virginia:

CHAPTER 16. PUBLIC HEALTH.

ARTICLE 3. PREVENTION AND CONTROL OF COMMUNICABLE AND OTHER INFECTIOUS DISEASES.

§16-3-4a. Influenza Immunizations.

1 [Repealed.]

CHAPTER 16B. INSPECTOR GENERAL.

ARTICLE 3. HOSPITALS AND SIMILAR INSTITUTIONS.

§16B-3-21. Influenza Immunizations.

1 (a) A hospital shall offer to an inpatient who is 50 years of age or older an influenza
2 immunization prior to discharge from October 1 of every year and continuing through March 1 of
3 the following year.

4 (b) The immunizations may not be offered in cases where the immunization is
5 contraindicated.

6 (c) The requirements of this section are subject to the availability for sufficient influenza
7 immunizations.

8 (d) Nothing in this section may be construed to require an influenza immunization as a
9 condition of receiving any type of service or as a condition of discharge.

NOTE: The purpose of this bill is to allow influenza immunizations to be offered to patients and residents of specified facilities on a voluntary basis based upon recommendations of the Center for Disease Control.

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