

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 633

By Senators Trump and Chapman

[Introduced February 5, 2024; referred
to the Committee on Health and Human Resources;
and then to the Committee on Finance]

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

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. DIVISION OF CORRECTIONS AND REHABILITATION.

§15A-3-19. 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, 2026, 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 requiring training in brain injury screening for personnel at Division of Corrections and Rehabilitation, requiring screening of all incoming and currently incarcerated individuals for brain injuries, requiring that the screening processes be designed with input from a study group established in another code section, and listing the agencies that need to enter a memorandum of understanding in order 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.