

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 3328**

By Delegates Kimble, Campbell, Anders, D. Cannon,

Kyle, Petitto, Mazzocchi, T. Howell, Eldridge, B.

Smith, and Butler

[Introduced March 12, 2025; referred to the

Committee on Health and Human Resources]

1 A BILL to amend to the Code of West Virginia, 1931, as amended, by adding a new section,  
 2 designated §16B-3-22, relating to requiring facilities provide patients and family members  
 3 or caregivers of deaf and hard of hearing patients with effective means of communication  
 4 assistance; requiring hospitals without an American Sign Language (ASL) interpreter on  
 5 staff to provide technology to assist with communication for hearing or speech impaired  
 6 patients and visitors; and requiring ASL interpreter be approved by the West Virginia  
 7 Commission on Deaf and Hard of Hearing.

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

**ARTICLE 3. HOSPITALS AND SIMILAR INSTITUTIONS.**

**§16B-3-22. Communication requirements for hearing and speech impaired.**

1 (a) The Legislature finds that every hospital, ambulatory health care facility, ambulatory  
 2 surgical facility, or extended care facility operating under the provisions of this article must ensure  
 3 effective communication with deaf and hard of hearing patients. This requirement is consistent  
 4 with the provisions of the Americans With Disabilities Act (ADA).

5 (b) Facilities shall provide accessible communication services to patients who are deaf or  
 6 hard of hearing that includes, but is not limited to:

7 (1) Providing American Sign Language (ASL) interpreters for consultations and  
 8 appointments.

9 (2) Providing assistive listening devices and communication technology.

10 (3) Ensuring that all medical forms and documents are available in accessible formats,  
 11 including captions or large print.

12 (4) Installing visual alarm systems in hospitals or healthcare facilities.

13 (c) In the event that an ASL interpreter is not available to assist a patient or patient's  
 14 caregiver or family member, the facility shall provide access to assistive hearing devices and  
 15 technologies, such as:

16 (1) Hearing loops, captioning services, visual alert systems, and video relay services.

- 17           (2) Appropriate technologies for personal communication in public spaces.
- 18           (d) An ASL interpreter retained to work in the facilities covered by this section shall be
- 19 approved by the West Virginia Commission for the Deaf and Hard of Hearing.
- 20           (e) Noncompliance with this section shall be reportable to licensing authorities.
- 21           (f) This section becomes effective upon passage.

NOTE: The purpose of this bill is to require facilities provide patients and family members or caregivers of deaf and hard of hearing patients with effective means of communication assistance.

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