

1 **ENROLLED**

2 **H. B. 2669**

3  
4 (By Delegate Ellington, Householder, Pasdon and Campbell)

5 [Passed February 25, 2015; in effect ninety days from passage.]  
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10 AN ACT to amend and reenact §16-3D-2 and §16-3D-3 of the Code of West Virginia, 1931, as  
11 amended, all relating to compulsory tuberculosis testing; defining terms; removing  
12 requirement for compulsory tuberculosis testing for school children transferring from outside  
13 this state; removing the requirement for recording test results, immediate evaluations by a  
14 physician of positive reactors, and X rays upon a positive test; omitting the requirement for  
15 all school personnel to have one tuberculin test at the time of employment; and eliminating  
16 the requirement that local health officers be responsible for arranging follow-up of school  
17 personnel and students who are not able to get a physician evaluation for a positive  
18 tuberculin skin test.

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

20 That §16-3D-2 and §16-3D-3 of the Code of West Virginia, 1931, as amended, be amended  
21 and reenacted, all to read as follows:

22 **ARTICLE 3D. TUBERCULOSIS TESTING, CONTROL, TREATMENT AND**



1 when an active tuberculosis disease diagnosis is pending.

2 **§16-3D-3. Compulsory testing for tuberculosis of school children and school personnel;**  
3 **commissioner to approve the test; X rays required for reactors; suspension**  
4 **from school or employment for pupils and personnel found to have**  
5 **tuberculosis.**

6 (a) Pupils found or suspected to have active tuberculosis shall be temporarily removed from  
7 school while their case is reviewed and evaluated by their personal physician and the local health  
8 officer. Pupils shall return to school when their personal physician and the local health officer, in  
9 consultation with the commissioner, indicate that it is safe and appropriate for them to return.

10 (b) School personnel found or suspected to have active tuberculosis shall have their  
11 employment suspended until the local health officer, in consultation with the commissioner,  
12 approves a return to work.

13 (c) The commissioner may require selective testing of students and school personnel for  
14 tuberculosis when there is reason to believe that they may have been exposed to the tuberculosis  
15 organism or they have signs and symptoms indicative of the disease. School nurses shall identify  
16 and refer any students or school personnel to the local health department in instances where they  
17 have reason to suspect that the individual has been exposed to tuberculosis or has symptoms  
18 indicative of the disease.