

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act for the relief of Kurt E. Beach.*

3 [H 2243]

4 Approved

5 Whereas, Kurt E. Beach (Beach) is a resident of Smithfield, Virginia; and  
6 Whereas, in 1988, Beach was serving as a police officer with the Town of Smithfield, Virginia; and  
7 Whereas, on February 22, 1988, Beach, while in the line of duty, performed cardiopulmonary  
8 resuscitation (CPR) on a nine-month-old infant in an attempt to save the infant's life; and  
9 Whereas, the infant had undergone multiple blood transfusions and as a result had become infected  
10 with hepatitis C; and  
11 Whereas, during the course of performing CPR on the infant, Beach came into contact with the  
12 infant's blood; and  
13 Whereas, Beach continued a successful career on the town's police force for several years; and  
14 Whereas, on January 6, 1995, Beach first became aware that he had been infected with hepatitis C  
15 during a routine screening of his blood that he had donated; and  
16 Whereas, this routine screening for the blood donation was the first screening that Beach had  
17 undergone since the contact with the infant in 1988; and  
18 Whereas, as soon as he found out about the infection and without undue delay, Beach filed a claim  
19 under the Workers' Compensation Act because he had contracted hepatitis C from the infant while  
20 performing CPR in the line of duty; and  
21 Whereas, Beach's claim was initially denied by a Deputy Commissioner of the Workers'  
22 Compensation Commission, who found that the claim was not filed within five years of the date of  
23 injurious exposure in the employment; and  
24 Whereas, Beach subsequently filed an appeal and on July 10, 1996, the Commission affirmed the  
25 denial; and  
26 Whereas, as a result of the hepatitis C infection that was contracted in the line of duty, Beach has  
27 incurred extensive medical bills and is currently awaiting a liver transplant; and  
28 Whereas, Beach is unable to pay for the medical bills and mounting costs associated with treating the  
29 infection; and  
30 Whereas, Kurt E. Beach has no other means to obtain adequate relief except by action of this body;  
31 now, therefore,

32 **Be it enacted by the General Assembly of Virginia:**

33 1. § 1. That to the extent private insurance is insufficient to cover his health care costs, there shall be  
34 paid for the relief of Kurt E. Beach from the Virginia Workers' Compensation Commission, upon  
35 execution of a release of all claims he may have against the Commonwealth or any agency,  
36 instrumentality, officer, employee, or political subdivision in connection with the aforesaid occurrence,  
37 an aggregate amount not to exceed \$250,000 to be paid to Kurt E. Beach subject to the conditions set  
38 forth in this enactment. If Kurt E. Beach undergoes a liver transplant, (i) \$50,000 shall be payable  
39 within the 30 days immediately following the date of the transplant, and (ii) beginning with the year of  
40 such transplant, \$20,000 shall be payable on December 31 of each year for up to 10 consecutive years  
41 for up to a total of \$200,000, provided that no such annual payment of \$20,000 shall be payable in a  
42 calendar year if Kurt E. Beach has died in a prior calendar year. Payments pursuant to this enactment  
43 shall be made by check issued by the State Treasurer on warrant of the Comptroller.