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HOUSE BILL NO. 2122

Offered January 9, 2013

Prefiled January 9, 2013

A *BILL to amend the Code of Virginia by adding in Article 3 of Chapter 16 of Title 63.2 a section numbered 63.2-1616, relating to the use of photographs and X-rays of incapacitated adults.*

Patrons—Herring, Gilbert, Loupassi and Ware, O.

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 3 of Chapter 16 of Title 63.2 a section numbered 63.2-1616 as follows:

§ 63.2-1616. Photographs and X-rays of incapacitated adults; use as evidence.

In any case of suspected abuse of an incapacitated adult, photographs and X-rays of such incapacitated adult may be taken without the consent of the person responsible for the incapacitated adult (i) as a part of the medical evaluation or (ii) as a part of the investigation or assessment of the case by the local department or the court. However, such photographs shall not be used in lieu of medical evaluation.

Such photographs and X-rays may be introduced into evidence in any subsequent proceeding. The court receiving such evidence may impose such restrictions as to the confidentiality of photographs and X-rays of any incapacitated adult as it deems appropriate.

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