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**HOUSE BILL NO. 2122**

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee for Courts of Justice  
on February 1, 2013)

(Patron Prior to Substitute—Delegate Herring)

A *BILL* to amend the Code of Virginia by adding a section numbered 63.2-1606.1, relating to the use of photographs, X-rays and medical imaging of incapacitated persons.

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

**1. That the Code of Virginia is amended by adding a section numbered 63.2-1606.1 as follows:**

**§ 63.2-1606.1. Photographs, X-rays and medical imaging of incapacitated persons; use as evidence.**

*In any case of suspected abuse of an incapacitated person, photographs, X-rays and appropriate medical imaging of such incapacitated person may be taken as a part of the medical evaluation without the consent of the person responsible for the incapacitated person. Such images shall not be used in lieu of medical evaluation.*

*Such photographs, X-rays and medical imaging may be introduced into evidence in any civil or criminal proceeding. The court receiving such evidence may impose such restrictions as to the confidentiality of photographs, X-rays and medical imaging of any incapacitated person as it deems appropriate.*