

13102053D

**SENATE BILL NO. 997**

Offered January 9, 2013

Prefiled January 8, 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—Barker and Howell

Referred to Committee on Rehabilitation and Social Services

**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.*

INTRODUCED

SB997