

FILED

2003 MAR 20 P 5:24

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2003

ENROLLED

SENATE BILL NO. 428

(By Senator Love, et al)

PASSED March 7, 2003

In Effect from Passage

FILED

2003 MAR 20 P 5: 25

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

Senate Bill No. 428

(BY SENATORS LOVE, SHARPE, EDGELL AND MINEAR)

[Passed March 7, 2003; in effect from passage.]

AN ACT finding and declaring certain claims against the state and its agencies to be moral obligations of the state; and directing the auditor to issue warrants for the payment thereof.

Be it enacted by the Legislature of West Virginia:

CLAIMS AGAINST THE STATE.

§1. Finding and declaring certain claims against the department of administration and the division of corrections to be moral obligations of the state and directing payments thereof.

1 The Legislature has heretofore made findings of fact that
2 the state has received the benefit of the commodities
3 received and/or services rendered by certain claimants
4 herein and has considered these claims against the state,
5 and agencies thereof, which have arisen due to
6 overexpenditures of the departmental appropriations by

7 officers of the state spending units, the claims having been
 8 previously considered by the court of claims which also
 9 found that the state has received the benefit of the com-
 10 modities received and/or services rendered by the claim-
 11 ants, but were denied by the court of claims on the purely
 12 statutory grounds that to allow the claims would be
 13 condoning illegal acts contrary to the laws of the state.
 14 The Legislature, pursuant to its findings of fact and also
 15 by the adoption of the findings of fact by the court of
 16 claims as its own, while not condoning such illegal acts,
 17 hereby declares it to be the moral obligation of the state to
 18 pay these claims in the amounts specified below and
 19 directs the auditor to issue warrants upon receipt of
 20 properly executed requisitions supported by itemized
 21 invoices, statements or other satisfactory documents as
 22 required by section ten, article three, chapter twelve of the
 23 code of West Virginia, one thousand nine hundred thirty-
 24 one as amended, for the payments thereof out of any fund
 25 appropriated and available for the purpose.

26 (a) *Claim against the Department of Administration:*

27 (TO BE PAID FROM GENERAL REVENUE FUND)

28 (1) West Virginia Association of
 29 Rehabilitation Facilities \$ 639.84

30 (b) *Claims against the Division of Corrections:*

31 (TO BE PAID FROM GENERAL REVENUE FUND)

32 (1) Anthony Creek Rescue Squad \$ 4,226.50
 33 (2) Associated Emergency
 34 Physicians, Inc. \$ 758.00
 35 (3) Associated Radiologists, Inc. \$ 1,091.00
 36 (4) Sammar Atassi, M. D. \$ 1,540.00
 37 (5) Ravin Bhirud, M. D. \$ 9,991.65
 38 (6) John Byers, D. D. S. \$ 85.00

39	(7) Charleston Cardiology Group	\$ 275.00
40	(8) Charleston Heart Specialists	\$ 3,995.00
41	(9) Charleston Psychiatric Group, Inc. . .	\$ 1,766.78
42	(10) Charleston Radiation Therapy	\$ 8,339.00
43	(11) Clarksburg Anesthesia	
44	Associates, Inc.	\$ 4,550.00
45	(12) Nancy A. Collins, O. D.	\$ 135.00
46	(13) Correctional Medical	
47	Services, Inc.	\$ 314,106.25
48	(14) Cottrill's Cars, Inc.	\$ 522.65
49	(15) G. Y. Dagher, M. D.	\$ 1,275.00
50	(16) Davis Memorial Hospital	\$ 47,600.69
51	(17) Dr. Bhirud, Inc.	\$ 4,015.36
52	(18) Fairmont General Hospital	\$ 2,348.25
53	(19) Frederick A. Gall, Jr., M. D.	\$ 1,310.00
54	(20) General Ambulance, Inc.	\$ 1,067.50
55	(21) General Anesthesia Services	\$ 1,050.00
56	(22) Grafton City Hospital	\$ 19,897.80
57	(23) Greenbrier Valley Medical Center . .	\$ 380.40
58	(24) Haven N. Wall, Jr., M. D., Inc.	\$ 1,200.00
59	(25) Healthnet Aeromedical Services . . .	\$ 17,666.10
60	(26) John P. Henderson, M. D.	\$ 559.00
61	(27) Carl S. High, M. D.	\$ 816.00
62	(28) Jan Care Ambulance	\$ 2,025.00
63	(29) Joseph Noronha, M. D., P. C., Inc. . .	\$ 1,467.74
64	(30) Ziad Kahwash, M. D.	\$ 739.00

65	(31) A. K. Katrib, M. D.	\$ 7,995.05
66	(32) Randy Raissa Lagoc, M. D.	\$ 93.00
67	(33) Stephen C. Lau, M. D.	\$ 50.00
68	(34) McDowell County Ambulance	
69	Serv. Authority, Inc.	\$ 2,042.50
70	(35) Medical Park Anesthesiologists . . .	\$ 3,280.56
71	(36) Stephen K. Milroy, M. D.	\$ 60.00
72	(37) Montgomery General Hospital	\$ 7,321.91
73	(38) Montgomery Radiologists, Inc.	\$ 1,229.90
74	(39) Morgantown Internal	
75	Medicine Group, Inc.	\$ 4,260.00
76	(40) Neurological Associates, Inc.	\$ 1,185.00
77	(41) Pharmacy Associates,	
78	dba Option Care	\$ 16,871.59
79	(42) Pocahontas Memorial Hospital	\$ 4,032.12
80	(43) Radiological Physicians	
81	Associates, Inc.	\$ 380.00
82	(44) Raleigh General Hospital	\$ 6,046.20
83	(45) San Pablo Medical Clinic	\$ 445.00
84	(46) Luis E. Soriano, M. D.	\$ 310.79
85	(47) United Hospital Center	\$ 2,747.38
86	(48) University Health Associates	\$ 154,411.00
87	(49) University Medical Laboratories . .	\$ 132.00
88	(50) Vision Health Care, Inc.	\$ 19.00
89	(51) West Virginia University	
90	Hospitals, Inc.	\$ 217,463.81
91	(52) Wheeling Hospital, Inc.	\$ 13,545.29

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Lang Miller
.....
Chairman Senate Committee

Jaron Spencer
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Darrell Edwards
.....
Clerk of the Senate

Bryce M. Bay
.....
Clerk of the House of Delegates

Carl Roy Tomblin
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this the *20th*
Day of *March*, 2003.

Bob Wise
.....
Governor

PRESENTED TO THE
GOVERNOR

Date 3/17/03

Time 9:45 am