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C. FILE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2002



# ENROLLED

## House Bill No. 4409

(By Delegates Kominar, Cann, Keener, Evans and Hall)



Passed March 5, 2002

In Effect from Passage

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

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## H. B. 4409

(BY DELEGATES KOMINAR, CANN, KEENER, EVANS AND HALL)

[Passed March 5, 2002; 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 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 received  
3       and/or services rendered by certain claimants herein and has  
4       considered these claims against the state, and agencies thereof,  
5       which have arisen due to overexpenditures of the departmental  
6       appropriations by officers of the state spending units, the claims  
7       having been previously considered by the court of claims which  
8       also found that the state has received the benefit of the com-  
9       modities received and/or services rendered by the claimants, but

10 were denied by the court of claims on the purely statutory  
 11 grounds that to allow the claims would be condoning illegal  
 12 acts contrary to the laws of the state. The Legislature, pursuant  
 13 to its findings of fact and also by the adoption of the findings of  
 14 fact by the court of claims as its own, while not condoning such  
 15 illegal acts, hereby declares it to be the moral obligation of the  
 16 state to pay these claims in the amounts specified below and  
 17 directs the auditor to issue warrants upon receipt of properly  
 18 executed requisitions supported by itemized invoices, state-  
 19 ments or other satisfactory documents as required by section  
 20 ten, article three, chapter twelve of the code of West Virginia,  
 21 one thousand nine hundred thirty-one as amended, for the  
 22 payments thereof out of any fund appropriated and available for  
 23 the purpose.

24 (a) *Claims against the Division of Corrections:*

25 (TO BE PAID FROM GENERAL REVENUE FUND)

- 26 (1) American Medical Billing/Rose
- 27 Associated Radiologists . . . . . \$ 553.00
- 28 (2) Anthony Creek Rescue Squad . . . . . \$ 276.50
- 29 (3) Aramak Correctional Food Service . . . . . \$ 6,646.18
- 30 (4) Associated Emergency Physicians, Inc. . . . . \$ 99.00
- 31 (5) Associated Radiologists, Inc. . . . . \$ 13,664.00
- 32 (6) Sammar Atassi, M.D. . . . . \$ 862.50
- 33 (7) T. Bobbitt, DDS . . . . . \$ 590.00
- 34 (8) Carilion Patient Transportation, LLC . . . . . \$ 10,489.00
- 35 (9) Central WV Medcorp, Inc. . . . . \$ 395.00

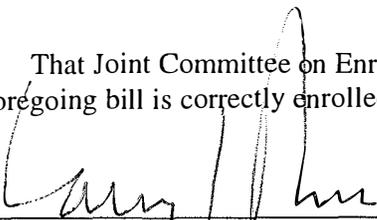
|    |   |              |
|----|---|--------------|
| 36 | (10) Charleston Area Medical Center, Inc. . . . . | \$291,732.26 |
| 37 | (11) Charleston Cardiology Group . . . . .        | \$ 2,208.29  |
| 38 | (12) Charleston Heart Specialists . . . . .       | \$ 2,825.00  |
| 39 | (13) Clarksburg Anesthesia Associates . . . . .   | \$ 261.00    |
| 40 | (14) Core Health Care, PLLC . . . . .             | \$ 327.00    |
| 41 | (15) Correctional Medical Services, Inc. . . . .  | \$ 67,872.01 |
| 42 | (16) Kevin Cox, M.D. . . . .                      | \$ 2,375.00  |
| 43 | (17) Davis Memorial Hospital . . . . .            | \$ 51,902.33 |
| 44 | (18) Doddridge County Emergency Squad . . . . .   | \$ 540.00    |
| 45 | (19) EMP of Harrison County . . . . .             | \$ 767.80    |
| 46 | (20) EMP of Wood County . . . . .                 | \$ 226.40    |
| 47 | (21) Ear, Nose & Throat Associates                |              |
| 48 | of Clarksburg . . . . .                           | \$ 120.00    |
| 49 | (22) Emergency Medicine Physicians of Ohio        |              |
| 50 | County PLLC . . . . .                             | \$ 639.70    |
| 51 | (23) Fairmont General Hospital . . . . .          | \$ 8,795.74  |
| 52 | (24) General Anesthesia Services . . . . .        | \$ 25,708.34 |
| 53 | (25) Angelo Georges, M.D. . . . .                 | \$ 160.00    |
| 54 | (26) Grafton City Hospital . . . . .              | \$ 67,175.64 |
| 55 | (27) Greenbrier Physicians, Inc. . . . .          | \$ 6,193.00  |
| 56 | (28) Shashi Gupta, M.D. . . . .                   | \$ 1,270.00  |

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| 57 | (29) Carl S. High, M.D. . . . . .                  | \$ 299.00    |
| 58 | (30) Integrated Healthcare Providers . . . . .     | \$ 35,290.71 |
| 59 | (31) Jan Care Ambulance . . . . .                  | \$ 4,256.00  |
| 60 | (32) Kanawha Nephrology, Inc. . . . . .            | \$ 671.00    |
| 61 | (33) Karim A. Katrib, M.D. . . . . .               | \$ 1,260.94  |
| 62 | (34) Kelly Medical Corporation . . . . .           | \$ 30.80     |
| 63 | (35) Marlinton Volunteer Fire Department . . . . . | \$ 752.50    |
| 64 | (36) McDowell County Ambulance Service             |              |
| 65 | Authority, Inc. . . . . .                          | \$ 1,105.00  |
| 66 | (37) M.J. McGinnis, M.D. . . . . .                 | \$ 350.00    |
| 67 | (38) Medbrook Medical Associates . . . . .         | \$ 162.00    |
| 68 | (39) Monongalia Emergency Medical                  |              |
| 69 | Services . . . . .                                 | \$ 440.70    |
| 70 | (40) Montgomery General Hospital . . . . .         | \$236,206.44 |
| 71 | (41) Montgomery Med Corp, Inc. . . . . .           | \$ 5,223.27  |
| 72 | (42) Montgomery Radiologists, Inc. . . . . .       | \$ 1,250.94  |
| 73 | (43) Nephrology Associates, Inc. . . . . .         | \$ 515.00    |
| 74 | (44) Ohio Valley Anesthesiologists . . . . .       | \$ 975.00    |
| 75 | (45) Oncology Hematology Associates . . . . .      | \$ 73.00     |
| 76 | (46) Herbert P. Oye, D.O. . . . . .                | \$ 7,360.00  |

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| 77 | (47) Parkersburg Pathology, MFC                |              |
| 78 | Corporation .....                              | \$ 183.00    |
| 79 | (48) Parkersburg Radiology Services, Inc. .... | \$ 591.00    |
| 80 | (49) Pocahontas Memorial Hospital .....        | \$ 13,400.40 |
| 81 | (50) Premier Medical Group .....               | \$ 108.00    |
| 82 | (51) Professional Anesthesia Services .....    | \$ 1,440.00  |
| 83 | (52) Radiological Physicians                   |              |
| 84 | Associates, Inc. ....                          | \$ 5,886.00  |
| 85 | (53) Randolph County Emergency Squad .....     | \$ 340.00    |
| 86 | (54) Rose Associated Radiologists .....        | \$ 85.00     |
| 87 | (55) Melvin T. Saludes, M.D. ....              | \$ 360.00    |
| 88 | (56) Lisa Skinner, M.D. ....                   | \$ 3,000.00  |
| 89 | (57) Taylor County Emergency Squad .....       | \$ 270.00    |
| 90 | (58) Thomas Memorial Hospital .....            | \$ 35,206.13 |
| 91 | (59) Thoracic & Cardiovascular                 |              |
| 92 | Associates, Inc. ....                          | \$ 9,909.80  |
| 93 | (60) Tygart Valley Total Care Clinic .....     | \$ 2,508.00  |
| 94 | (61) United Hospital Center .....              | \$ 54,781.11 |
| 95 | (62) University Health Associates .....        | \$ 64,677.34 |
| 96 | (63) University Health Associates              |              |
| 97 | - Dental .....                                 | \$ 725.00    |
| 98 | (64) University Medical Laboratories .....     | \$ 304.76    |

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|-----|---|--------------|
| 99  | (65) Welch Community Hospital . . . . .       | \$ 19,341.00 |
| 100 | (66) West Virginia University                 |              |
| 101 | Hospitals, Inc. . . . .                       | \$486,224.12 |
| 102 | (67) Westbrook Health Services, Inc. . . . .  | \$ 73.50     |
| 103 | (68) Wheeling Medical Park Hospital . . . . . | \$ 1,850.25  |

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

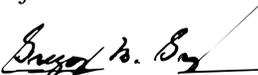
  
\_\_\_\_\_  
Chairman Senate Committee

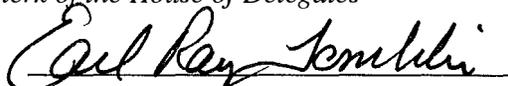
  
\_\_\_\_\_  
Chairman House Committee

Originating in the House.

In effect from passage.

  
\_\_\_\_\_  
Clerk of the Senate

  
\_\_\_\_\_  
Clerk of the House of Delegates

  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House of Delegates

The within bill approved this the 13<sup>th</sup> day of March, 2002.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/7/02

Time 9:50am