

WEST VIRGINIA CODE: §33-45-3

§33-45-3. Damages, attorney fees and costs available to providers upon insurer's violation of article or breach of contract provisions.

Any provider who suffers loss as the result of an insurer's violation of any provision of this article or an insurer's breach of any provider contract provision required by this article is entitled to initiate an action to recover actual damages. The commissioner shall not be deemed to be a "trier of fact" for purposes of this section.