WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1941

ENROLLED

SENATE BILL No. 100

(By Mr. Wylie)

PASSED March 5, 1941

In Effect 90 days from Passage

JARRETT PRINTING COMPANY, CHARLESTON, W. VA.
ENROLLED

Senate Bill No. 100

(BY MR. WYLIE)

[Passed March 5, 1941; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article four, chapter twenty-three of the code of West Virginia, one thousand nine hundred thirty-one, as last amended by chapter one hundred four, acts of the Legislature, regular session, one thousand nine hundred thirty-seven, relating to the payment by the state compensation commissioner of sums for medicine, hospital treatment, artificial limbs and other mechanical appliances.

Be it enacted by the Legislature of West Virginia:

That section three, article four, chapter twenty-three of the code of West Virginia be amended and reenacted to read as follows:
Section 3. The commissioner shall disburse and pay from the fund for such personal injuries to such employees as may be entitled thereto hereunder as follows:

(a) Such sums for medicine, medical, surgical, dental, hospital treatment, crutches, artificial limbs and such other and additional approved mechanical appliances as may be reasonably required, not however, in any case to exceed the sum of eight hundred dollars;

(b) Payment for such medicine, medical, surgical, dental, hospital treatment, crutches, artificial limbs and such other and additional approved mechanical appliances authorized under subdivision (a) hereof may be made to the injured employee, or to the person or persons who have furnished such service, or who have advanced payment for same, as the commissioner may deem proper, but no such payments or disbursements shall be made or awarded by the commissioner unless duly verified statements on forms prescribed by the commissioner, shall be filed with the commissioner within three months from the time such services or appliances were authorized by the commissioner;
(c) No employer shall enter into any contract with any hospital, its physicians, officers, agents or employees, to render medical, dental or hospital service or to give medical or surgical attention therein to any employee for accidental injury compensable within the purview of this act, and no employer shall permit or require any employee to contribute, directly or indirectly, to any fund for the payment of such medical, surgical, dental or hospital service within such hospital for such accidental compensable injury. Any employer violating this section shall be liable in damages to his or its employee, and shall not avail himself of any of the common law defenses mentioned in section eight, article two of this chapter, and any employer or hospital or agent or employee thereof violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo imprisonment not exceeding one year, or both.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate

Takes effect 90 days from passage

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 14 day of March, 1941.

Governor.

Filed in the office of the Secretary of State of West Virginia, MAR 17, 1941.

Wm. S. O'Brien, Secretary of State