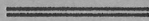


WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1943



ENROLLED

SENATE BILL No. 98

(By Mr. Eddy)

PASSED February 26 1943

In Effect From Passage

JARRETT PRINTING COMPANY, CHARLESTON, W. VA.



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Section 1. *Establishment and Maintenance of Monon-*

2 *galia General Hospital.* The county court of Monongalia
3 county is hereby authorized and empowered to establish,
4 equip and maintain a general hospital in said county,
5 to be known as the Monongalia General Hospital, and for
6 that purpose to use the present hospital and any build-
7 ings now utilized in connection therewith, including part
8 of the county infirmary buildings, grounds and equip-
9 ment, as well as any additions that may be built to the
10 present hospital.

Sec. 2. *Cost of Operating.* The cost of operating the

2 Monongalia County Hospital shall be provided for out
3 of the revenues of the said hospital: *Provided*, That the
4 county court of Monongalia county may in its dis-
5 cretion contribute to such expenditures out of any funds
6 in the hands of the said court and not otherwise ap-
7 propriated.

Sec. 3. *County Court to Appoint Board of Trustees for*

2 *Hospital; Duties of Hospital Board.* The said county court
3 of Monongalia county shall forthwith appoint a board
4 of trustees, which board shall consist of nine members;

5 and said board of trustees is hereby authorized and em-
6 powered to control, manage, and operate the said Monon-
7 galia General Hospital. Said board shall also be known
8 as the hospital board of Monongalia county.

Sec. 4. *Officers of Hospital Board; Committees; Mem-*
2 *bers of Board to Serve Without Compensation.* The said
3 hospital board shall immediately organize with the usual
4 officers appropriate to such character of organization in-
5 itially and annually thereafter; and it shall certify from
6 time to time the names of its officers to the county court
7 of Monongalia county.

8 The board may, by resolution or resolutions passed by
9 a majority of the whole board, designate one or more
10 committees, each committee to consist of two or more
11 of the board members, which, to the extent provided for
12 in any such resolution, shall have and may exercise the
13 powers of the board in the management of the hospital
14 business.

15 Members of the hospital board shall serve without
16 compensation.

Sec. 5. *Qualifications of Members of Boards; Term of*

2 *Office; Vacancies.* All members of the hospital board
3 shall be citizens of West Virginia and residents of Monon-
4 galia county; and none of such members shall be en-
5 gaged in the practice of medicine or surgery. The term
6 of office of the members of the hospital board shall be
7 three years, except that the county court shall divide
8 those originally appointed into three classes: the term
9 of office of those of the first class shall expire on the
10 first day of March next ensuing; of the second class one
11 year thereafter; and of the third class two years there-
12 after; and at each annual appointment held after such
13 classification, members shall be chosen for a full term,
14 as the case may be, to succeed those whose terms expire.
15 All vacancies in the membership of the hospital board
16 shall be promptly filled through such appointment by
17 the said county court; but members in office may con-
18 tinue to serve until their successors have been appointed
19 and have been qualified.

20 The county court of Monongalia county may at any time
21 remove members of the hospital board.

Sec. 6. *Hospital Board to Be a Corporation.* Said hospital board shall be a corporation; and as such it may contract and be contracted with, sue and be sued, plead and be impleaded, and shall have and use a common seal.

Sec. 7. *Specific Powers of Hospital Board.* In addition to any other powers granted by this act, the said hospital board shall have specific authority over each of the following subjects:

1. The board shall be authorized to employ all agents, technicians, employees and others deemed proper or needful by it for the successful conduct of the affairs of the hospital, and to fix their compensation. Employment shall be given without any reference whatsoever to political opinions or party affiliation of the person concerned.

2. The board is empowered to make such rules and regulations in and concerning the management of the hospital as may seem necessary, needful or proper; and it may adopt such disciplinary measures as may appear expedient. The board may delegate to the superintendent

17 of the hospital and to such other directing personnel, as
18 it may from time to time employ, ample and plenary
19 power to make such rules and regulations effective.

20 3. The board may formulate appropriate rules and
21 regulations relating to the use of the hospital and its
22 facilities by members of the medical and surgical pro-
23 fession or hospital staff.

24 4. The board may fix and establish appropriate rates
25 and charges for the use of the hospital and its facilities
26 by any patients who may be admitted thereto for care,
27 hospitalization or treatment.

28 5. The board shall have authority to utilize net income
29 or surplus profits for equipment, equipment-maintenance
30 and improvement of facilities; and the board is specifically
31 authorized to make such expenditures for these purposes
32 as may in the board's discretion seem proper.

33 In general, the board shall possess complete authority
34 to conduct the affairs of the Monongalia General Hos-
35 pital with all appropriate facilities and services; and the
36 enumeration of powers in this section shall not operate
37 to exclude the exercise of other powers fairly incidental

38 thereto or reasonably implied and within the purposes
39 of this act.

Sec. 8. *Hospital Board to Keep Books of Account;*
2 *Method of Making Disbursements.* The hospital board
3 shall cause accurate and proper books of account to be
4 kept. All payrolls shall be approved by the president
5 and secretary of the hospital board, or respective sub-
6 stitute officials, prior to the payment of any compensation
7 whatsoever. The treasurer of the hospital board shall
8 make disbursements upon the requisition of such presi-
9 dent and secretary, and not otherwise.

Sec. 9. *Requirement of Surety for Officers or Agents of*
2 *Hospital Board.* Any officers, agents or employees of the
3 hospital board, appointed or authorized to receive moneys
4 for services rendered at the hospital, shall be required to
5 give bond in such sum and with such surety as may be
6 deemed sufficient by the said hospital board.

Sec. 10. *Monongalia General Hospital Fund; Accounts;*
2 *Payment of Necessary Expenses; Surplus.* All revenues
3 derived from the operation of the hospital shall be de-
4 posited in a separate account designated as the Monon-

5 galia General Hospital Fund. The hospital board shall
6 at least once each month render an itemized statement
7 of its receipts and expenses to the county court and it
8 shall also submit to said court an annual statement of
9 its financial condition.

10 Out of the said hospital fund, there shall be trans-
11 ferred and paid the following amounts for the following
12 purposes, in the order that the same are hereinafter set
13 forth:

14 1. There shall be paid the reasonable expense of
15 operation, repair and maintenance of the hospital.

16 2. Out of the balance of the revenues remaining in the
17 hospital fund, after payment of the amount hereinabove
18 in the first subsection required to be paid, there shall
19 be paid into a separate account which is hereby created
20 and designated as the Operation and Maintenance Ac-
21 count, as a reserve for operation, repair and maintenance
22 an amount deemed sufficient for operation, repair and
23 maintenance of the hospital for an ensuing period of
24 not less than twelve months, and for depreciation.

25 3. The balance of the revenue remaining in the hos-

26 pital fund, after payment of the amounts hereinabove
27 provided, may be paid over by the said hospital board to
28 the county court of Monongalia county, and may be used
29 by the said county court for any other lawful purpose.

30 The county court of Monongalia county shall forth-
31 with pay over into the Monongalia General Hospital Fund
32 all existing funds now held by it or on deposit in any bank-
33 ing institution, to the credit of the said Monongalia Gen-
34 eral Hospital or for its current operations. The said county
35 court shall also transfer, assign and set over to the hos-
36 pital board all accounts receivable or bills owing in favor
37 of the said Monongalia General Hospital.

Sec. 11. *Hospital Employees to Be Within Workmen's*
2 *Compensation Act; Other Insurance.* All members of the
3 hospital, eligible thereto, shall be deemed to be within
4 the Workmen's Compensation Act of West Virginia, and
5 premiums on their compensation shall be paid by the
6 hospital board as required by law. Adequate insurance-
7 coverage against hazards shall at all times be carried as
8 prudence in good management indicates.

Sec. 12. *Wide Discretion to Be Vested in the Hospital*

2 *Board.* It is the purpose of this act to provide for an ef-
3 ficient operation of the hospital, and to permit of the
4 prudent and economical management of the hospital by
5 the hospital board. Wide discretion and adequate au-
6 thority are accordingly vested in the hospital board, in
7 order to achieve that purpose expeditiously and with due
8 safeguards.

9 Nevertheless, the said hospital board shall make no
10 discrimination among the medical practitioners of said
11 county or their patients, provided these comply with all
12 reasonable rules and regulations made by the hospital
13 board for the governance of the said hospital.

Sec. 13. *Title to Hospital Property to Be in County*

2 *Court of Monongalia County.* Title to all property con-
3 stituting or belonging to the Monongalia General Hos-
4 pital, as comprised within this act, shall be vested as
5 heretofore, in the county court of Monongalia county.

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

Ray Z. Finison
Chairman Senate Committee

And H. Potoff
Chairman House Committee

Originated in the *Senate*

Takes effect *from* passage

W. Lee Watkins
Clerk of the Senate

J. R. Bluff
Clerk of the House of Delegates

James P. Rance
President of the Senate

John E. Amos
Speaker House of Delegates

The within *approved* this the *4th*

day of *March*, 1943.

Matthew M. Neely
Governor.

2

Filed in the office of the Secretary of State
of West Virginia **MAR 4 - 1943**

Wm. S. O'BRIEN,
Secretary of State