

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1947



ENROLLED

SENATE BILL No. 222

(By Mr. Beeler)



PASSED February 28 1947

In Effect from Passage

222



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Senate Bill No. 222
(By MR. BEELER)

[Passed February 28, 1947; in effect from passage.]

AN ACT to authorize and empower the county court of Morgan county to construct, repair, improve, acquire, equip and maintain a general hospital as a memorial in memory of and in recognition of the services and sacrifices of all persons from Morgan county who served in the armed forces of the United States in the world wars; to provide revenue therefor; to provide a fund to erect new or additional structures or improvements including necessary equipment; to remodel existing buildings and facilities; to provide a maintenance fund; to provide a board of directors; to provide for the receipt of gifts; to provide for reasonable charges for the use of the facilities; and to use in connection therewith such existing facilities or property as may be available.

Be it enacted by the Legislature of West Virginia:

Section 1.—The county court of Morgan county shall
2 have the power, upon petition of twenty percent of the
3 voters of such county, based on the number of votes cast
4 at the last general election, to acquire and establish at
5 the county seat, by purchase, gift or otherwise, a general
6 hospital and maintain the same as a memorial in memory
7 of and in recognition of the services and sacrifices of the
8 Morgan county veterans of the World Wars, and for the
9 purpose of acquiring, establishing, improving, equipping
10 and maintaining the same, the court may contribute to-
11 ward the cost and expense thereof out of any available
12 funds subject to the control of said court as are not other-
13 wise appropriated, and said funds so contributed as afore-
14 said shall be kept separate in a fund to be known as the
15 “War Memorial Hospital Fund”, to be expended for said
16 purposes by the board of directors hereinafter provided
17 for.

Sec. 2.—Upon the establishment of said Morgan County
2 War Memorial Hospital, the county court shall appoint a
3 board of directors equal in number to the magisterial dis-

4 tricts of the county and select one director from each of
5 such districts, from the citizens thereof, with reference to
6 their fitness for such office. Such directors shall hold of-
7 fice for four years from the first day of July following
8 their appointment. No person shall be ineligible to ap-
9 pointment by reason of sex, political or religious affilia-
10 tions. Vacancies in the board shall be reported to the
11 county court and filled by appointment in like manner as
12 original appointments for the unexpired term. The coun-
13 ty court may remove any director for misconduct or ne-
14 glect of duty. No compensation shall be paid or allowed
15 any director.

Sec. 3.—The board of directors of the memorial hospital
2 established under this section shall, immediately after
3 their appointment, meet and organize by electing one of
4 their number as president and one as vice president and
5 one as secretary; a majority of all the members of the
6 board shall constitute a quorum for the transaction of
7 business. They shall make and adopt such by-laws, rules
8 and regulations from time to time, for their own guid-
9 ance and for the government and use of the hospital and

10 its facilities, as may be expedient and not inconsistent
11 with this section. Such board shall have authority to con-
12 tract for necessary improvements, additions, alterations
13 and repairs to said hospital, the purchase, repair and re-
14 placement of necessary equipment, and shall generally
15 have the supervision and management of said hospital and
16 the care and custody of the grounds, structures and facil-
17 ities. All moneys belonging to said War Memorial Hos-
18 pital Fund shall be deposited in the treasury of Morgan
19 county to the credit of the war memorial hospital fund
20 and shall be drawn therefrom from time to time on ord-
21 ers issued by the said board of directors to be expended
22 by said board for the purposes enumerated. Such orders
23 shall not be drawn except upon requisition of the said
24 board of directors attached to proper authenticated vouch-
25 ers, and said funds shall then be deposited in the board's
26 treasury and checks drawn thereon.

Sec. 4.—The board shall have power to appoint a suit-
2 able superintendent, assistant superintendent, doctors,
3 nurses, technicians and other qualified staff members and
4 employees necessary for the efficient operation of the

5 memorial hospital, prescribe rules for their conduct, fix
6 their duties and compensations, and the board shall have
7 power to remove such appointees and employees and, in
8 general, to manage and control the operation and main-
9 tenance of said memorial hospital. All appointees and
10 employees shall be chosen upon the basis of their admin-
11 istrative, technical or other particular qualifications for
12 the office or position for which they are employed and
13 without regard to their religious or political opinions or
14 affiliations.

Sec. 5.—In addition to the other powers herein granted,
2 the board shall make such rules and regulations in and
3 concerning the management of the hospital as may seem
4 necessary, needful or proper, and the adoption of such
5 disciplinary measures as may appear expedient; and the
6 board may delegate to the superintendent and to such
7 other of the directing personnel, as it may from time to
8 time determine, ample and plenary power to enforce its
9 rules and regulations; the board shall formulate appro-
10 priate rules and regulations relating to the use of the hos-
11 pital and its facilities by members of the medical and sur-

12 gical profession, and by the members of the medical staff,
13 and shall fix and establish appropriate rates and charges
14 for the use of the hospital and its facilities and services
15 by any patients who may be admitted thereto for care,
16 hospitalization or treatment. In general, the board shall
17 have complete authority to conduct the affairs of the
18 Morgan County War Memorial Hospital with all its ap-
19 propriate facilities and services, and the enumeration of
20 powers in this section shall not operate to exclude the ex-
21 ercise of other powers fairly incidental thereto and reas-
22 onably implied and within the purposes of this act.

Sec. 6.—The board shall cause accurate and proper
2 books of account to be kept and no money shall be paid
3 out of the board's treasury except upon the approval of
4 the board, and all checks shall be drawn in the name of the
5 Morgan County War Memorial Hospital and signed by
6 the treasurer and countersigned by the superintendent or
7 by another officer or agent of the board designated so to
8 do.

Sec. 7.—All officers, agents or employees of the hospital

2 authorized to receive money for the hospital shall be re-
3 quired to give bond in such sum and with such surety as
4 may be deemed sufficient by said board.

Sec. 8.—All funds of the hospital, from whatever source
2 received, shall be deposited in such bank in Morgan coun-
3 ty as the board may direct, and at least once each month
4 the board shall render an itemized statement of the hos-
5 pital's receipts and disbursements to the county court of
6 Morgan county, and annually as of the first day of July
7 in each year, the board shall also submit to the court a
8 completely itemized statement of the hospital's financial
9 condition. In said annual report to the court, the board
10 shall state the condition of the property, the various sums
11 received from the memorial fund and from all other sour-
12 ces, how much money was expended and for what pur-
13 pose, and an itemized budget estimate of operating ex-
14 penses for the ensuing year, with such other information
15 and suggestions as the board may deem of general inter-
16 est, or that may be required by the county court. The
17 board may provide for such reserve accounts for opera-

18 tion, repair, replacement, insurance, depletion, deprecia-
19 tion and building as it may deem advisable.

Sec. 9.—The board of directors may receive gifts of
2 money or property, and may take by bequest or devise
3 any gift or legacy and use or hold the same for the bene-
4 fit of said memorial hospital, and shall have the right to
5 apply for and receive for said use and benefits grants-in-
6 aid from federal and state governments and agencies
7 thereof.

Sec. 10.—The board of directors may recognize the or-
2 ganization of an active auxiliary or circle comprising
3 patrons and friends of the hospital to be affiliated with the
4 board's hospital management and maintenance policies.

Sec. 11.—The board of directors shall carry workmen's
2 compensation on all employees of the hospital, eligible
3 thereto, who are hereby declared to be within the pro-
4 visions of the workmen's compensation act of West Vir-
5 ginia and the premiums on such workmen's compensation
6 shall be paid by the board from said hospital fund. Ade-
7 quate insurance coverage against hazards shall at all times

8 be carried in such amount as prudence and good manage-
9 ment indicates.

Sec. 12.—Title to all property constituting or belonging
2 to the Morgan County War Memorial Hospital shall be
3 vested in the county court of Morgan county.

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

Forest L. McChesney

Chairman Senate Committee

W. L. Matthews

Chairman House Committee

Originated in the

Senate

Takes effect

from

passage.

Howard Myers

Clerk of the Senate

W. A. Clipp

Clerk of the House of Delegates

Arnold M. Tickers

President of the Senate

John E. Amos

Speaker House of Delegates

The within

Approved

this the

3rd

day of

March

, 1947.

Clarence M. ...

Governor.



Filed in the Office of the Secretary of State
of West Virginia

MAR 4 1947

WM. S. O'BRIEN,
SECRETARY OF STATE