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STATE OF WEST VIRGINIA

**WEST VIRGINIA LEGISLATURE**  
**REGULAR SESSION, 1973**



**ENROLLED**

HOUSE BILL No. 769

(By Mrs. Withrow and M. Mulneix)



PASSED April 13, 1973

In Effect ninty days from Passage



FILED IN THE OFFICE  
EDGAR F. BRISKILL III  
SECRETARY OF STATE  
THIS DATE 5/2/73

769

ENROLLED

# House Bill No. 769

(By MRS. WITHROW and MR. MULNEIX)

[Passed April 13, 1973; in effect ninety days from passage.]

AN ACT to amend and reenact sections two and three, article twenty-four, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to hospital service corporations, medical service corporations and dental service corporations; authorizing duly licensed chiropractors to participate in medical service plans; relating to standards in connection therewith; and relating to the composition of the board of directors of a medical service corporation and a dental service corporation.

*Be it enacted by the Legislature of West Virginia:*

That sections two and three, article twenty-four, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 24. HOSPITAL SERVICE CORPORATIONS, MEDICAL SERVICE CORPORATIONS AND DENTAL SERVICE CORPORATIONS.**

**§33-24-2. Definitions.**

- 1 For the purpose of this article:
- 2 (a) "Corporation" shall mean either a hospital service cor-
- 3 poration, a medical service corporation or a dental service
- 4 corporation.
- 5 (b) "Hospital service corporation" shall mean a nonprofit,
- 6 nonstock corporation, organized in accordance with the pro-

7 visions of article one, chapter thirty-one of this code, for the  
8 sole purpose of contracting with the public and with hospitals  
9 and other health agencies for hospital or other health services  
10 to be furnished to subscribers under terms of their contract  
11 with the corporation.

12 (c) "Hospital service" shall mean only such hospital or oth-  
13 er health care, to be provided by hospitals or other health  
14 agencies, or such payment therefor, as may be specified in  
15 the contract made by the subscriber with the corporation.

16 (d) "Medical service corporation" shall mean a nonprofit,  
17 nonstock corporation, organized in accordance with the pro-  
18 visions of article one, chapter thirty-one of this code, for the  
19 sole purpose of contracting with the public and with duly  
20 licensed physicians, duly licensed dentists and duly licensed  
21 chiropodists-podiatrists for medical or surgical services and  
22 with duly licensed chiropractors and other health agencies for  
23 other health services to be furnished to subscribers under terms  
24 of their contract with the corporation, and controlled by a  
25 board of directors, the majority of whom are duly licensed  
26 physicians.

27 (e) "Medical service" shall mean only such medical, surgi-  
28 cal, or other health care, to be provided by duly licensed phy-  
29 sicians, duly licensed dentists, duly licensed chiropodists-podia-  
30 trists or other health agencies and only such health care, to be  
31 provided by duly licensed chiropractors, or such payment  
32 therefor, as may be specified in the contract made by the  
33 subscriber with the corporation.

34 (f) "Dental service corporation" shall mean a nonprofit,  
35 nonstock corporation, organized in accordance with the pro-  
36 visions of article one, chapter thirty-one of this code, for the  
37 sole purpose of contracting with the public and with duly  
38 licensed dentists for dental services to be furnished to sub-  
39 scribers under terms of their contracts with the corporations,  
40 and controlled by a board of directors, the majority of whom  
41 are duly licensed dentists.

42 (g) "Dental service" shall mean only such dental care, to  
43 be provided by duly licensed dentists, duly licensed physicians,  
44 or such payment therefor, as may be specified in the contract  
45 made by the subscriber with the corporation.

46 (h) "Service" shall mean such hospital, medical, dental or

47 other health service as shall be provided under the terms of  
48 the contracts issued by the corporation to subscribers.

49 (i) "Commissioner" shall mean the insurance commis-  
50 sioner of West Virginia.

**§33-24-3. Corporations affected by article; eligibility of hospitals,  
physicians, dentists, chiropodists-podiatrists and chi-  
ropractors.**

1 (a) Every such corporation operating within this state shall  
2 be subject to the provisions of this article.

3 (b) Every hospital or other health agency in this state  
4 meeting the standards prescribed by the board of directors of  
5 each such corporation shall be eligible for participation in any  
6 hospital service plan operating in this state. Every duly licens-  
7 ed physician, duly licensed dentist, duly licensed chiropodist-  
8 podiatrist, duly licensed chiropractor or other health agency in  
9 this state meeting the standards prescribed by the board of  
10 directors of each such corporation shall be eligible for parti-  
11 cipation in any medical service plan operating in this state.  
12 Every duly licensed dentist or duly licensed physician in this  
13 state meeting the standards prescribed by the board of direc-  
14 tors of each such corporation shall be eligible for participa-  
15 tion in any dental service plan operating in this state. The  
16 board of directors of every such corporation may also pre-  
17 scribe standards for hospitals, physicians, dentists, chiropo-  
18 dists-podiatrists, chiropractors and other health agencies lo-  
19 cated in states adjoining this state, and all such hospitals, phy-  
20 sicians, dentists, chiropodists-podiatrists, chiropractors and  
21 other health agencies meeting such standards shall be eligible  
22 for participation in such plans.

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

H. Darrel Darby  
Chairman Senate Committee

Clayton C. Thurston  
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard W. Carson  
Clerk of the Senate

W. Blankenship  
Clerk of the House of Delegates

H. T. Brotherton  
President of the Senate

Lewis N. M. Manna  
Speaker House of Delegates

The within approved this the 24th  
day of April, 1973.

Hubert H. Hanes Jr.  
Governor



PRESENTED TO THE  
GOVERNOR

Date 4/24/73

Time 2:34 p.m.