

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-17-80

Time 3:00 p.m.

**WEST VIRGINIA LEGISLATURE**  
**REGULAR SESSION, 1980**



**ENROLLED**

**SENATE BILL NO. 798**

(By Mr. Galperin)



PASSED March 8, 1980

In Effect ninty days from Passage



No: 198

# ENROLLED

## Senate Bill No. 198

(By MR. GALPERIN)

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[Passed March 8, 1980; in effect ninety days from passage.]

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AN ACT to amend and reenact section two, article twenty-four, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to medical service corporations; composition of board of directors.

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

That section two, 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  
3 corporation, a medical service corporation or a dental  
4 service corporation.

5 (b) "Hospital service corporation" shall mean a non-  
6 profit, nonstock corporation, organized in accordance  
7 with the provisions of article one, chapter thirty-one of  
8 this code, for the sole purpose of contracting with the  
9 public and with hospitals and other health agencies for  
10 hospital or other health services to be furnished to sub-  
11 scribers under terms of their contract with the corpora-  
12 tion.

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

18 (d) "Medical service corporation" shall mean a non-  
19 profit, nonstock corporation, organized in accordance with  
20 the provisions of article one, chapter thirty-one of this  
21 code, for the sole purpose of contracting with the public  
22 and with duly licensed physicians, duly licensed dentists  
23 and duly licensed chiropodists-podiatrists for medical  
24 or surgical services and with duly licensed chiroprac-  
25 tors and other health agencies for other health services  
26 to be furnished to subscribers under terms of their con-  
27 tract with the corporation, and controlled by a board of  
28 directors, not more than twenty percent of whom, or  
29 whose spouse, parent, child, brother or sister by blood or  
30 marriage, are engaged in the providing of health care  
31 and at least eighty percent of whom shall be chosen as  
32 representatives of the interests of consumers, elderly  
33 persons, organized labor and business subscribers.

34 (e) "Medical service" shall mean only such medical,  
35 surgical, or other health care, to be provided by duly  
36 licensed physicians, duly licensed dentists, duly licensed  
37 chiropodists-podiatrists or other health agencies and only  
38 such health care, to be provided by duly licensed chiro-  
39 practors, or such payment therefor, as may be specified  
40 in the contract made by the subscriber with the corpora-  
41 tion.

42 (f) "Dental service corporation" shall mean a nonprofit,  
43 nonstock corporation, organized in accordance with the  
44 provisions of article one, chapter thirty-one of this code,  
45 for the sole purpose of contracting with the public and  
46 with duly licensed dentists for dental services to be fur-  
47 nished to subscribers under terms of their contracts with  
48 the corporations, and controlled by a board of directors,  
49 the majority of whom are duly licensed dentists.

50 (g) "Dental service" shall mean only such dental care,  
51 to be provided by duly licensed dentists, duly licensed

52 physicians, or such payment therefor, as may be specified  
53 in the contract made by the subscriber with the corpora-  
54 tion.

55 (h) "Service" shall mean such hospital, medical, dental  
56 or other health service as shall be provided under the  
57 terms of the contracts issued by the corporation to sub-  
58 scribers.

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

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

*James L. Davis*  
Chairman Senate Committee

*Clarence C. Chestnut Jr.*  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

*Joel C. Whites*  
Clerk of the Senate

*Cl. Blankenship*  
Clerk of the House of Delegates

*H. T. Emberton Jr.*  
President of the Senate

*Clayton M. Lee Jr.*  
Speaker House of Delegates

The within *passed* this the *17*

day of *March*, 1980.

*John R. Dwyer*  
Governor



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