

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-28-81

Time \_\_\_\_\_

NO: 448

**WEST VIRGINIA LEGISLATURE**  
**REGULAR SESSION, 1981**



**ENROLLED**

*Committee Substitute for*  
**SENATE BILL NO. 448**

(By Mr. *Tomovich, et al*.....)



PASSED ..... *April 11,* ..... 1981

In Effect *ninety days from* ..... Passage



# ENROLLED

COMMITTEE SUBSTITUTE

FOR

## Senate Bill No. 448

(MR. TONKOVICH, MR. MORELAND, MR. WISE, MR. GALPERIN and  
MR. HECK, *original sponsors*)

[Passed April 11, 1981; in effect ninety days from passage.]

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 composition of the board of directors of hospitals and dental service corporations.

*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, and controlled by a board of directors, not more  
13 than twenty percent of whom, or whose spouse, parent,  
14 child, brother or sister by blood or marriage, are engaged  
15 in the providing of health care and at least eighty per-  
16 cent of whom shall be chosen as representatives of the  
17 interests of consumers, elderly persons, organized labor  
18 and business subscribers.

19 (c) "Hospital service" shall mean only such hospital or  
20 other health care, to be provided by hospitals or other  
21 health agencies, or such payment therefor, as may be  
22 specified in the contract made by the subscriber with the  
23 corporation.

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

40 (e) "Medical service" shall mean only such medical,  
41 surgical, or other health care, to be provided by duly  
42 licensed physicians, duly licensed dentists, duly licensed  
43 podiatrists or other health agencies and only such health  
44 care, to be provided by duly licensed chiropractors, or  
45 such payment therefor, as may be specified in the contract  
46 made by the subscriber with the corporation.

47 (f) "Dental service corporation" shall mean a non-  
48 profit, nonstock corporation, organized in accordance with  
49 the provisions of article one, chapter thirty-one of this  
50 code, for the sole purpose of contracting with the public

51 and with duly licensed dentists for dental services to be  
52 furnished to subscribers under terms of their contracts  
53 with the corporations, and controlled by a board of di-  
54 rectors, not more than twenty percent of whom or whose  
55 spouse, parent, child, brother or sister by blood or mar-  
56 riage, are engaged in the providing of health care and  
57 at least eighty percent of whom shall be chosen as rep-  
58 resentatives of the interests of consumers, elderly persons,  
59 organized labor and business subscribers.

60 (g) "Dental service" shall mean only such dental care,  
61 to be provided by duly licensed dentists, duly licensed  
62 physicians, or such payment therefor, as may be specified  
63 in the contract made by the subscriber with the corpora-  
64 tion.

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

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

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

R. F. Baylor  
Chairman Senate Committee

Tommy E. Whitlow  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Tom C. Willis  
Clerk of the Senate

V. A. Blankenship  
Clerk of the House of Delegates

Wm. R. Brown  
President of the Senate

Walter H. Lee, Jr.  
Speaker House of Delegates

The within is approved this the 28  
day of April, 1981.

John A. Rhyne W  
Governor



RECEIVED  
APR 27 3 29 PM '81  
OFFICE OF THE GOVERNOR

RECEIVED

81 APR 30 4 9: 42

OFFICE  
SECY. OF STATE