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APPROVED AND SIGNED BY THE GOVERNOR

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Date 3-26-83

OFFICE OF THE GOVERNOR

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1983

— ● —

ENROLLED

HOUSE BILL No. 1742

(By Mr. Blatnik + Mrs. Leary)

— ● —

Passed March 9, 1983

In Effect Ninety Days From Passage



ENROLLED

H. B. 1742

(By MRS. BLATNIK and MRS. LEARY)

[Passed March 9, 1983; in effect ninety days from passage.]

AN ACT to amend article five-b, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section six-a, relating to consumer representatives on hospital boards of directors; percentage of consumer representatives required.

Be it enacted by the Legislature of West Virginia:

That article five-b, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section six-a, to read as follows:

ARTICLE 5B. HOSPITALS AND SIMILAR INSTITUTIONS.

§16-5B-6a. Consumer majorities on hospital boards of directors.

1 (a) The Legislature declares that a crisis in health care
2 costs exists, that one important approach to deal with this
3 crisis is to have widespread citizen participation in
4 hospital decision making and that many hospitals in West
5 Virginia exclude from their boards important categories of
6 consumers, including small businesses, organized labor, elderly
7 persons and lower-income consumers. The Legislature further
8 declares that nonprofit hospitals receive such major revenue
9 from public sources and are so crucial in health planning and
10 development that it is necessary to require consumer repre-
11 sentatives on their boards of directors. Therefore, the Legisla-
12 ture determines that nonprofit hospitals and hospitals owned

13 by local governments should have boards of directors repre-
14 sentative of the communities they serve.

15 (b) As used in this section, "applicable hospitals" means
16 all nonprofit hospitals and all hospitals owned by a county,
17 city or other political subdivision of the state of West Virginia.

18 (c) At least forty percent of the board of directors of applic-
19 able hospitals shall, on or before the first day of July, one
20 thousand nine hundred eighty-four, be composed of an equal
21 portion of consumer representatives from each of the following
22 four categories: Small businesses, organized labor, elderly per-
23 sons and persons whose income is less than the national median
24 income. Special consideration shall be made to select women,
25 racial minorities and handicapped persons.

26 (d) The provisions of this section may be enforced by the
27 director of health or by any citizen of the county wherein any
28 offending hospital is located, by the filing of an action at law
29 in the circuit court of such county.

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

[Handwritten Signature]
Chairman Senate Committee

[Handwritten Signature]
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

[Handwritten Signature]
Clerk of the Senate

[Handwritten Signature]
Clerk of the House of Delegates

[Handwritten Signature]
President of the Senate

[Handwritten Signature]
Speaker House of Delegates

The within *is approved* this the *26*
day of *March*, 1983.

[Handwritten Signature]
Governor

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SECY. OF STATE