WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1987

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ENROLLED

HOUSE BILL No. 3063

(By Delegate McCormick)

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Passed MARCH 14, 1987

In Effect JULY 1, 1987
ENROLLED

H. B. 3063

(By Delegate McCormick)

(Passed March 14, 1987; in effect July 1, 1987.)

AN ACT to amend article two-a, chapter fourteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section nineteen-a, relating to compensation awards to victims of crime; requiring determination of fees owing to health care service providers; and providing for direct payment to providers from awards, beginning with awards made at the regular session of the Legislature, one thousand nine hundred eighty-seven.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2A. COMPENSATION AWARDS TO VICTIMS OF CRIMES.


1. As part of the order, the court, or a judge or commissioner thereof, shall determine whether fees are due and owing for health care services rendered by a physician, hospital or other health care provider stemming from an injury received as defined under this article. If such fees are due and owing, the court, or a judge or commissioner thereof, shall determine the
amount or amounts and shall cause such reasonable fees
to be paid out of the amount awarded the crime victim
under this article directly to the physician, hospital or
other health care provider. The requirements of this
section shall be applicable to, and any such unpaid fees
shall be determined and payable from, the awards made
by the Legislature at regular session, one thousand nine
hundred eighty-seven, and subsequently: Provided, That
when a claim is filed under this section, the court shall
determine the total damages due the crime victim, and
where the total damages exceed the maximum amount
which may be awarded under this article, the amount
paid the health care provider shall be paid in the same
proportion to which the actual award bears to the total
damages determined by the court.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.


Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within approved this the 1st day of April, 1987.

Governor