

No: 3063

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1987

— ● —

# ENROLLED

HOUSE BILL No. 3063

(By Delegate MCCORMICK)

— ● —

Passed MARCH 14, 1987

In Effect JULY 1, 1987 ~~Passage~~

**ENROLLED**  
**H. B. 3063**

(By DELEGATE MCCORMICK)

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[Passed March 14, 1987; in effect July 1, 1987.]

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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.**

**§14-2A-19a. Physician, hospital and other health care  
expenses.**

1     As part of the order, the court, or a judge or  
2     commissioner thereof, shall determine whether fees are  
3     due and owing for health care services rendered by a  
4     physician, hospital or other health care provider  
5     stemming from an injury received as defined under this  
6     article. If such fees are due and owing, the court, or a  
7     judge or commissioner thereof, shall determine the

8 amount or amounts and shall cause such reasonable fees  
9 to be paid out of the amount awarded the crime victim  
10 under this article directly to the physician, hospital or  
11 other health care provider. The requirements of this  
12 section shall be applicable to, and any such unpaid fees  
13 shall be determined and payable from, the awards made  
14 by the Legislature at regular session, one thousand nine  
15 hundred eighty-seven, and subsequently: *Provided*, That  
16 when a claim is filed under this section, the court shall  
17 determine the total damages due the crime victim, and  
18 where the total damages exceed the maximum amount  
19 which may be awarded under this article, the amount  
20 paid the health care provider shall be paid in the same  
21 proportion to which the actual award bears to the total  
22 damages determined by the court.

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

*Bruce O. Williams*  
 Chairman Senate Committee

*Lyle Satter*  
 Chairman House Committee

Originating in the House.

Takes effect July 1, 1987.

*Todd C. Willis*  
 Clerk of the Senate

*Donald R. Kopp*  
 Clerk of the House of Delegates

*Sam Tankin*  
 President of the Senate

*Paul C. Hall*  
 Speaker of the House of Delegates

The within *approved* this the *1<sup>st</sup>*  
*April*  
 day of \_\_\_\_\_, 1987.

*Arnell Phangor*  
 Governor

PRESENTED TO THE

GOVERNOR

Date 3/26/87

Time 2:53 p.m.

RECEIVED

Q1 198-2 11/13/85

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