WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994

- - -

ENROLLED

HOUSE BILL No. 4546

(By Delegates Campbell, Beaumong, Rutledge, H. White and McKinley)

- - -

Passed ____________ March 10, 1994

In Effect ____________ From Passage
ENROLLED

H. B. 4564

(By Delegates Campbell, Browning, Rutledge, H. White and McKinley)

[Passed March 10, 1994; in effect from passage.]

AN ACT finding and declaring certain claims against the state and its agencies to be moral obligations of the state and directing the auditor to issue warrants for the payment thereof.

Be it enacted by the Legislature of West Virginia:

CLAIMS AGAINST THE STATE.

§1. Finding and declaring certain claims against the division of corrections; division of human services; and division of professional and occupational licenses—state athletic commission to be moral obligations of the state and directing payments thereof.

The Legislature has heretofore made findings of fact that the state has received the benefit of the commodities received and/or services rendered by certain claimants herein and has considered these claims against the state, and agencies thereof, which have arisen due to over-expenditures of the departmental appropriations by officers of such state spending units, such claims having been previously considered by the court of claims which also found that the state has received the benefit of the commodities received and/or services rendered by the claimants, but were denied by the court of claims on the purely statutory grounds that to allow such claims would be condoning illegal acts
Enr. H. B. 4564] 2

contrary to the laws of the state. The Legislature pursuant to its findings of fact and also by the adoption of the findings of fact by the court of claims as its own, and, while not condoning such illegal acts, hereby declares it to be the moral obligation of the state to pay these claims in the amounts specified below, and directs the auditor to issue warrants upon receipt of properly executed requisitions supported by itemized invoices, statements or other satisfactory documents as required by section ten, article three, chapter twelve of the code of West Virginia, one thousand nine hundred thirty-one, as amended, for the payments thereof out of any fund appropriated and available for the purpose.

(a) Claims against the Division of Corrections:

(TO BE PAID FROM GENERAL REVENUE FUND)

1. ALCO Health Services Corporation $ 42,320.94
2. ARA Health Services, dba Correctional Medical Systems $ 78,067.73
3. James N. Aldridge, Jr., M.D. $ 90.00
4. R. David Allara, M.D. $ 80.00
5. American Surgical Associates $ 65.00
6. Ashmore Optical Company, Inc. $ 92.00
7. Associated Physicians, Inc. $ 212.87
8. Associated Radiologists, Inc. $ 1,485.50
9. BMA of West Virginia, Inc., dba BMA of Morgantown $ 60,615.00
10. Gaspar Z. Barcinas, M.D. $ 1,800.00
11. Robert S. Bear, M.D. $ 460.00
12. Beckley Hospital, Inc. $ 83.90
13. Darrell C. Belcher, M.D. $ 876.20
14. Russell Buindo, M.D. $ 4,070.00
15. Bluefield Regional Medical Center $ 1,234.11
16. Rano S. Bofill, M.D. $ 183.00
17. Braxton County Memorial Hospital $ 1,912.50
18. Broadus Hospital Association $ 326.50
19. John P. Burgess, D.D.S. $ 450.00
20. John W. Byers, D.D.S. $ 2,004.00
21. C & C Pharmacy, Inc. $ 1,314.96
22. CAMC Dental Center $ 309.00
23. Camden-Clark Memorial Hospital $ 4,362.21
(24) Cardiovascular Associates of WV $ 100.00
(25) Charleston Area Medical Center $ 49,113.02
(26) Chesapeake and Potomac
Telephone Co. of WV $ 221.88
(27) Citizens Drug $ 2,465.41
(28) City Pharmacy, Inc. $ 772.73
(29) Community Health Systems, Inc. $ 2,496.61
(30) Community Radiology, Inc. $ 234.00
(31) Nancy L. Craig, M.D. $ 165.00
(32) Glenn Crotty, Jr., M.D. $ 108.00
(33) Doctors Anesthesia Associates, Inc. $ 620.50
(34) Drs. Black, Jackfert, Gilbert,
Yates and Syner $ 42.00
(35) EENT Physicians and Surgeons $ 370.00
(36) Ear, Nose and Throat Associates of
Clarksburg, Inc. $ 5,200.00
(37) Fairlea Immediate Care, Inc. $ 1,255.00
(38) Sami H. Farra, M.D. $ 152.00
(39) Earl J. Foster, M.D. $ 714.00
(40) Galen Health Care of WV, Inc. $ 1,832.95
(41) Dominic Gaziano, M.D. $ 1,050.00
(42) General Anesthesia Services, Inc. $ 957.00
(43) General Welding Supply Company $ 1,292.21
(44) Manuel A. Gomez, M.D. $ 85.00
(45) A. A. Goodarzi, M.D. $ 746.00
(46) Grafton City Hospital $ 8,314.00
(47) Grant Memorial Hospital $ 71.75
(48) Greenbrier Anesthesia Services, Inc. $ 814.00
(49) John B. Haley, Jr., D.D.S. $ 22.00
(50) Harrison Medical Services $ 103.00
(51) Highlawn Pharmacy, Inc. $ 1,397.87
(52) William H. Hitt, D.D.S. $ 123.00
(53) David R. Holliday, O.D. $ 52.00
(54) Harold H. Howell, III, D.M.D. $ 755.00
(55) Huntington Anesthesiology
Group, Inc. $ 1,640.00
(56) Jackson General Hospital $ 92.00
(57) Jackson Surgical Associates, Inc. $ 30.00
(58) Jan Care Ambulance Service, Inc. $ 290.00
(59) John Marshall Medical Services,
dba Huntington Surgical Assoc. $ 450.00
(60) Kanawha Valley Radiologists $ 145.00
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<th>Description</th>
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<td>David A. Lattanzi, D.D.S.</td>
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<td>Maurice W. Lewis, D.D.S.</td>
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<td>Clifford M. Linkous, D.D.S., Ltd.</td>
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<td>102</td>
<td>Sheriff's Department</td>
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<td>McDowell County Correctional Center</td>
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<td>Medical Center of Taylor County</td>
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<td>131</td>
<td>Saint Francis Hospital</td>
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139  (98) Shabb & Hoak, M.D., Inc. ......................$ 1,975.00
140  (99) Mian W. Shah, M.D. ........................ $  90.00
141  (100) Southern West Virginia Clinic ............$ 1,919.00
142  (101) Technical Imaging Inc. .................. $  773.00
143  (102) Thomas Memorial Hospital ...............$ 1,078.15
144  (103) Tri State Otolaryngology .................$ 1,800.00
145  (104) United Hospital Center .................. $  7,988.22
146  (105) University Health Associates ..........  $ 41,855.00
147  (106) WVSOM Clinic, Inc. ...................... $  545.00
148  (107) James D. Weinstein, M.D. ................ $  160.00
149  (108) Welch Emergency Hospital ...............$  8,775.66
150  (109) West Virginia University Hospitals, Inc. $ 76,503.75
151  (110) Wheeling Clinic, Inc. ................... $  2,278.45
152  (111) Greg J. Wroblewski, D.D.S. ..............$    55.00
153  (b) Claims against the Division of Human Services:
154  (TO BE PAID FROM GENERAL REVENUE FUND)
156  (1) Berkeley County Commission ...............$  2,022.00
157  (2) Brooke County Commission ................. $  504.00
158  (3) Cabell County Commission ................. $  3,888.00
159  (4) Greenbrier County Commission ............ $  675.00
160  (5) Hampshire County Commission ............. $ 1,350.00
161  (6) McDowell County Commission .............. $ 1,350.00
162  (7) Monongalia County Commission ............ $  675.00
163  (8) Putnam County Commission ................. $  675.00
164  (9) Raleigh County Commission ............... $  3,600.00
165  (10) Rose and Quesenberry Funeral Home, Inc. $  400.00
166  (11) Wetzel County Commission ............... $ 13,860.00
168  (c) Claims against the Division of Professional and Occupational Licenses—State Athletic Commission:
169  (TO BE PAID FROM GENERAL REVENUE FUND)
171  (1) Robert Lowery ...................................$  1,044.80
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Ernest C. Moore  
Chairman House Committee

Originating in the House.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 29th day of March, 1994.

Governor