

HB # 4564

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994



ENROLLED

HOUSE BILL No. 4564

(By Delegates Campbell, Browning, 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.

1 The Legislature has heretofore made findings of fact
2 that the state has received the benefit of the commod-
3 ities received and/or services rendered by certain
4 claimants herein and has considered these claims
5 against the state, and agencies thereof, which have
6 arisen due to over-expenditures of the departmental
7 appropriations by officers of such state spending units,
8 such claims having been previously considered by the
9 court of claims which also found that the state has
10 received the benefit of the commodities received and/or
11 services rendered by the claimants, but were denied by
12 the court of claims on the purely statutory grounds that
13 to allow such claims would be condoning illegal acts

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

27 (a) *Claims against the Division of Corrections:*

28 (TO BE PAID FROM GENERAL REVENUE FUND)

29	(1) ALCO Health Services Corporation	\$ 42,320.94
30	(2) ARA Health Services, dba Correctional	
31	Medical Systems	\$ 78,067.73
32	(3) James N. Aldridge, Jr., M.D.	\$ 90.00
33	(4) R. David Allara, M.D.	\$ 80.00
34	(5) American Surgical Associates	\$ 65.00
35	(6) Ashmore Optical Company, Inc.	\$ 92.00
36	(7) Associated Emergency	
37	Physicians, Inc.	\$ 212.87
38	(8) Associated Radiologists, Inc.	\$ 1,485.50
39	(9) BMA of West Virginia, Inc.,	
40	dba BMA of Morgantown	\$ 60,615.00
41	(10) Gaspar Z. Barcinas, M.D.	\$ 1,800.00
42	(11) Robert S. Bear, M.D.	\$ 460.00
43	(12) Beckley Hospital, Inc.	\$ 83.90
44	(13) Darrell C. Belcher, M.D.	\$ 876.20
45	(14) Russell Buindo, M.D.	\$ 4,070.00
46	(15) Bluefield Regional Medical Center	\$ 1,234.11
47	(16) Rano S. Bofill, M.D.	\$ 183.00
48	(17) Braxton County Memorial Hospital	\$ 1,912.50
49	(18) Broaddus Hospital Association	\$ 326.50
50	(19) John P. Burgess, D.D.S.	\$ 450.00
51	(20) John W. Byers, D.D.S.	\$ 2,004.00
52	(21) C & C Pharmacy, Inc.	\$ 1,314.96
53	(22) CAMC Dental Center	\$ 309.00
54	(23) Camden-Clark Memorial Hospital	\$ 4,362.21

55	(24) Cardiovascular Associates of WV	\$ 100.00
56	(25) Charleston Area Medical Center	\$ 49,113.02
57	(26) Chesapeake and Potomac	
58	Telephone Co. of WV	\$ 221.88
59	(27) Citizens Drug	\$ 2,465.41
60	(28) City Pharmacy, Inc.	\$ 772.73
61	(29) Community Health Systems, Inc.	\$ 2,496.61
62	(30) Community Radiology, Inc.	\$ 234.00
63	(31) Nancy L. Craig, M.D.	\$ 165.00
64	(32) Glenn Crotty, Jr., M.D.	\$ 108.00
65	(33) Doctors Anesthesia Associates, Inc.	\$ 620.50
66	(34) Drs. Black, Jackfert, Gilbert,	
67	Yates and Syner	\$ 42.00
68	(35) EENT Physicians and Surgeons	\$ 370.00
69	(36) Ear, Nose and Throat Associates of	
70	Clarksburg, Inc.	\$ 5,200.00
71	(37) Fairlea Immediate Care, Inc.	\$ 1,255.00
72	(38) Sami H. Farra, M.D.	\$ 152.00
73	(39) Earl J. Foster, M.D.	\$ 714.00
74	(40) Galen Health Care of WV, Inc.	\$ 1,832.95
75	(41) Dominic Gaziano, M.D.	\$ 1,050.00
76	(42) General Anesthesia Services, Inc.	\$ 957.00
77	(43) General Welding Supply Company	\$ 1,292.21
78	(44) Manuel A. Gomez, M.D.	\$ 85.00
79	(45) A. A. Goodarzi, M.D.	\$ 746.00
80	(46) Grafton City Hospital	\$ 8,314.00
81	(47) Grant Memorial Hospital	\$ 71.75
82	(48) Greenbrier Anesthesia Services, Inc. \$	814.00
83	(49) John B. Haley, Jr., D.D.S.	\$ 22.00
84	(50) Harrison Medical Services	\$ 103.00
85	(51) Highlawn Pharmacy, Inc.	\$ 1,397.87
86	(52) William H. Hitt, D.D.S.	\$ 123.00
87	(53) David R. Holliday, O.D.	\$ 52.00
88	(54) Harold H. Howell, III, D.M.D.	\$ 755.00
89	(55) Huntington Anesthesiology	
90	Group, Inc.	\$ 1,640.00
91	(56) Jackson General Hospital	\$ 92.00
92	(57) Jackson Surgical Associates, Inc.	\$ 30.00
93	(58) Jan Care Ambulance Service, Inc.	\$ 290.00
94	(59) John Marshall Medical Services,	
95	dba Huntington Surgical Assoc.	\$ 450.00
96	(60) Kanawha Valley Radiologists	\$ 145.00

97	(61)	David A. Lattanzi, D.D.S.	\$ 87.00
98	(62)	Maurice W. Lewis, D.D.S.	\$ 219.00
99	(63)	Clifford M. Linkous, D.D.S., Ltd.	\$ 1,765.00
100	(64)	Marietta Imaging, Inc.	\$ 85.00
101	(65)	Marshall County	
102		Sheriff's Department	\$ 3,482.50
103	(66)	McDowell County Correctional Center	\$ 1,103.32
104	(67)	Medical Center of Taylor County	\$ 238.58
105	(68)	Mercer Drug Store Inc.	\$ 187.22
106	(69)	William A. Merva, M.D.	\$ 710.00
107	(70)	Metro Radiology Greenbrier	\$ 322.00
108	(71)	Robert B. Miller, M.D.	\$ 220.00
109	(72)	Monongalia General Hospital	\$ 36,940.67
110	(73)	Morgantown Internal Medicine Group	\$ 4,170.00
111	(74)	Mountainview Regional Rehabilitation	
112		Hospital	\$112,500.38
113	(75)	Myers Clinic	\$ 435.50
114	(76)	Nicholas County Commission	\$ 9,543.38
115	(77)	Oral and Maxillofacial Surgery	\$ 621.00
116	(78)	Parkersburg Neurological	
117		Associates, Inc.	\$ 185.00
118	(79)	Parkersburg Radiology Services	\$ 810.00
119	(80)	Pearle Vision Center	\$ 271.95
120	(81)	James B. Phillips,	
121		dba Phillips Pharmacy	\$ 78.45
122	(82)	Prime Care 12	\$ 3,134.50
123	(83)	Princeton Community Hospital	\$ 29,701.22
124	(84)	Princeton Emergency Physicians	
125		Billing Service	\$ 1,195.00
126	(85)	Princeton Internists, Inc.	\$ 160.00
127	(86)	Princeton Pharmacy, Inc.	\$ 4,049.25
128	(87)	Professional Imaging Inc.	\$ 2,284.00
129	(88)	Putnam General Hospital	\$ 3,724.75
130	(89)	Aristotle E. Rabanal, M.D.	\$ 360.00
131	(90)	Radiological Consultants	\$ 140.00
132	(91)	Radiology Associates, Inc.	\$ 17.50
133	(92)	Radiology, Inc.	\$ 375.00
134	(93)	Raleigh Radiology, Inc.	\$ 49.00
135	(94)	Rana Medical Services, Inc.	\$ 1,000.00
136	(95)	Reynolds Memorial Hospital	\$253,030.75
137	(96)	Roche Biomedical Laboratories, Inc.	\$ 214.00
138	(97)	Saint Francis Hospital	\$ 4,884.40

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	
151	Hospitals, Inc.	\$ 76,503.75
152	(110) Wheeling Clinic, Inc.	\$ 2,278.45
153	(111) Greg J. Wroblewski, D.D.S.	\$ 55.00
154	<i>(b) Claims against the Division of Human Services:</i>	

155

(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	
166	Funeral Home, Inc.	\$ 400.00
167	(11) Wetzel County Commission	\$ 13,860.00

168 *(c) Claims against the Division of Professional and*169 *Occupational Licenses—State Athletic Commission:*

170

(TO BE PAID FROM GENERAL REVENUE FUND)

171	(1) Robert Lowery	\$ 1,044.80
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The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Handwritten Signature]
.....
Chairman Senate Committee

[Handwritten Signature]
.....
Ernest C. Moore
Chairman House Committee

Originating in the House.

Takes effect 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 of the House of Delegates

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

[Handwritten Signature]
.....
Governor



PRESENTED TO THE

GOVERNOR

Date 3/25/94

Time 9:45 am