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# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2000



# ENROLLED

## House Bill No. 4529

(By Delegates Kelley, Beane,  
Compton, Evans and Hall)



Passed March 10, 2000

In Effect from Passage

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LEGISLATIVE SERVICES  
STATE HOUSE

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LEGISLATIVE SERVICES  
STATE HOUSE

**ENROLLED**

**H. B. 4529**

(BY DELEGATES KELLEY, BEANE,  
COMPTON, EVANS AND HALL)

[Passed March 10, 2000; 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 attorney general's office; division of corrections; division of labor; and the supreme court of appeals to be moral obligations of the state and directing payments thereof.**

1 The Legislature has heretofore made findings of fact that  
2 the state has received the benefit of the commodities received  
3 and/or services rendered by certain claimants herein and has  
4 considered these claims against the state, and agencies thereof,  
5 which have arisen due to overexpenditures of the departmental  
6 appropriations by officers of the state spending units, the claims  
7 having been previously considered by the court of claims which

8 also found that the state has received the benefit of the com-  
 9 modities received and/or services rendered by the claimants, but  
 10 were denied by the court of claims on the purely statutory  
 11 grounds that to allow the claims would be condoning illegal  
 12 acts contrary to the laws of the state. The Legislature pursuant  
 13 to its findings of fact and also by the adoption of the findings of  
 14 fact by the court of claims as its own, and, while not condoning  
 15 such illegal acts, hereby declares it to be the moral obligation  
 16 of the state to pay these claims in the amounts specified below,  
 17 and directs the auditor to issue warrants upon receipt of  
 18 properly executed requisitions supported by itemized invoices,  
 19 statements or other satisfactory documents as required by  
 20 section ten, article three, chapter twelve of the code of West  
 21 Virginia, one thousand nine hundred thirty-one as amended, for  
 22 the payments thereof out of any fund appropriated and available  
 23 for the purpose.

24 (a) *Claim against the Attorney General's Office:*

25 (TO BE PAID FROM GENERAL REVENUE FUND)

26 (1) Juliet R. Stevenson . . . . .	\$11,706.13
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27 (b) *Claims against the Division of Corrections:*

28 (TO BE PAID FROM GENERAL REVENUE FUND)

29 (1) Anthony Creek Rescue Squad. . . . .	481.50
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30 (2) Associated Surgical Care, P.L.L.C. . . . .	593.00
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31 (3) Ramsey Behnam, M.D.. . . . .	150.00
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32 (4) Bluefield Anesthesia Associates, Inc.. . . . .	558.00
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33 (5) Cabell County Commission . . . . .	10.08
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34 (6) Arthur L. Calhoun, M.D., Janus E. LeVos, M.D., 35 Partners dba Harrisville Medical Center. . . . .	347.50
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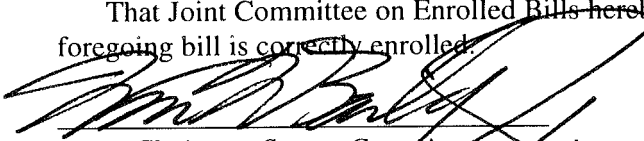
36 (7) Central WV Medcorp, Inc. . . . .	8,510.00
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37	(8) Charleston Area Medical Center, Inc. . . .	286,590.93
38	(9) Charleston Cardiology Group . . . . .	1,380.00
39	(10) Charleston Radiation Therapy . . . . .	29,837.00
40	(11) Clarksburg Anesthesia Assoc. . . . .	900.72
41	(12) Community Radiology of Virginia . . . . .	1,200.00
42	(13) Thomas Condron, D.D.S.. . . . .	343.00
43	(14) Correctional Medical Services, Inc. . . .	315,427.47
44	(15) Davis Memorial Hospital . . . . .	34,331.13
45	(16) EMP of Harrison County . . . . .	195.10
46	(17) EMP of Wood County . . . . .	587.40
47	(18) G.Y. Dagher, M.D. . . . .	1,275.00
48	(19) J. Patrick Galey, M.D. . . . .	2,541.00
49	(20) General Ambulance, Inc. . . . .	250.00
50	(21) General Anesthesia Services . . . . .	8,175.00
51	(22) Grafton City Hospital . . . . .	24,110.71
52	(23) Greenbrier Physicians, Inc. . . . .	3,960.00
53	(24) Greenbrier Valley Medical Center . . . . .	547.38
54	(25) Heiskell & King Surgical Associates, Inc. .	1,162.00
55	(26) Hatem Hossino, M.D. . . . .	2,350.00
56	(27) Steven A. Issenberg, M.D. . . . .	150.00

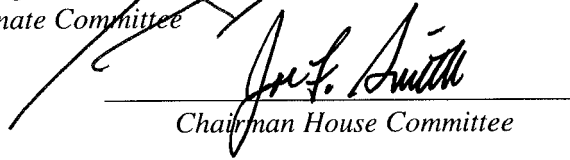
57	(28) Jackson General Hospital . . . . .	69.00
58	(29) Jan Care Ambulance . . . . .	12,159.00
59	(30) Kanawha County Emergency Ambulance Auth. . . . .	516.00
60	(31) Kelly Medical Corporation . . . . .	2,679.30
61	(32) Stephen C. Lau, M.D. . . . .	130.00
62	(33) Edward M. Litz, M.D. . . . .	410.00
63	(34) Medbrook Medical Associates, Inc. . . . .	234.00
64	(35) Monongalia County Commission . . . . .	103.50
65	(36) Montgomery General Hospital . . . . .	9,772.63
66	(37) Pharmacy Association, Inc., dba	
67	Option Care . . . . .	30,846.69
68	(38) Radiological Physicians Associates . . . . .	2,030.00
69	(39) Radiology, Inc. . . . .	513.00
70	(40) Rose Associated Radiologists . . . . .	312.00
71	(41) St. Joseph's Hospital . . . . .	4,298.55
72	(42) Jashvantlal Thakker, M.D. . . . .	2,330.00
73	(43) Tincher Dental Laboratory . . . . .	119.60
74	(44) Tygart Valley Total Care Clinic . . . . .	9,253.00
75	(45) United Anesthesia, Inc. . . . .	840.00
76	(46) United Hospital Center . . . . .	2,426.10

77	(47) University Health Associates . . . . .	77,501.75
78	(48) Valley Community Mental Health Center . .	810.00
79	(49) West Virginia University Hospitals, Inc.	93,593.43
80	<i>(c) Claim against the Division of Labor:</i>	
81	(TO BE PAID FROM GENERAL REVENUE FUND)	
82	(1) Goodyear Tire & Rubber Company . . . . .	240.04
83	<i>(d) Claim against the Supreme Court of Appeals:</i>	
84	(TO BE PAID FROM GENERAL REVENUE FUND)	
85	Cabell County Commission . . . . .	8,908.00
86	Total amount of general revenue - . . . . .	\$ 997,765.64

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



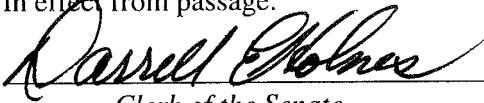
Chairman Senate Committee



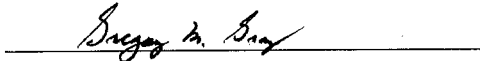
Chairman House Committee

Originating in the House.

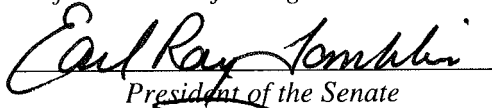
In effect from passage.



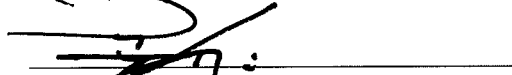
Clerk of the Senate



Clerk of the House of Delegates

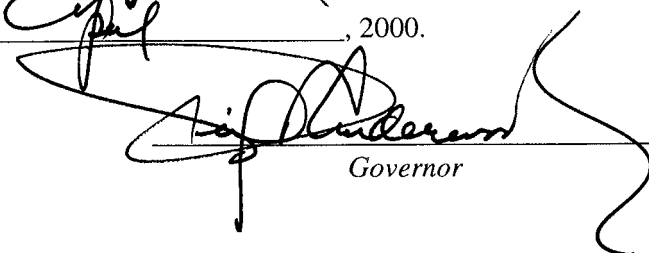


President of the Senate



Speaker of the House of Delegates

The within approved this the 2nd day of April, 2000.



Governor

PRESENTED TO THE

GOVERNOR

Date 3/29/00

Time 3:15pm