ENROLLED

SENATE BILL NO. 491

(By Senators Hooton, Bailey, and Sharpe)

PASSED April 14, 2001

In Effect 90 days from Passage
AN ACT to amend and reenact section one, article five, chapter twenty-six of the code of West Virginia, one thousand nine hundred thirty-one as amended, relating to changing the name of Pinecrest hospital to Jackie Withrow hospital, contingent upon receipt of funds from the department of health and human resources; authorizing the department of health and human resources to provide funding for the name change; and establishing effective dates.

Be it enacted by the Legislature of West Virginia:

That section one, article five, chapter twenty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 5. JACKIE WITHROW HOSPITAL.

§26-5-1. Continuation; management; superintendent; qualifications of superintendent; division of fiscal, administrative and clinical duties; certain persons exempted from qualification requirements.
The tuberculosis sanitarium heretofore established at Beckley, for the care and treatment of persons afflicted with tuberculosis, shall be continued and shall be known as the Jackie Withrow hospital, and shall be managed, directed and controlled as prescribed in article one, chapter twenty-five and in section eight, article one, chapter sixteen of this code: Provided, That the name change shall not become effective until ninety days after the department of health and human resources has provided to the hospital and the hospital has received an additional one hundred thousand dollars over and above the total dollar amount provided to the hospital from the state from all sources for the fiscal year ending the thirtieth day of June, two thousand one. The one hundred thousand dollars shall to be used by the hospital to offset the additional expenses incurred in changing the name of the hospital, including, but not limited to, software changes, printing costs for documents and stationery, change of name on medicaid certificate, change of signs and equipment which stamps the name of the hospital and the cost of a plaque, bust and other expenses associated with the change of name. The department of health and human resources shall provide this money to the hospital in one lump sum within one hundred eighty days from the effective date of the amendments made to this section in the two thousand one regular session of the Legislature or the name change contemplated herein shall not become effective. The chief executive officer of the hospital shall be the superintendent, who must be a college graduate and have a minimum of two years' experience in either hospital administration, health services administration or business administration with broad knowledge of accounting, purchasing and personnel practices as related to the rendition of health and health related services.

(b) A superintendent is the person having the fiscal responsibility of the hospital and the authority to manage and administer the financial, business and personnel affairs of the hospital.
39 A clinical director is the person having the responsibility
40 for decisions involving clinical and medical treatment of
41 patients, and who shall be a duly qualified physician
42 licensed to practice medicine in the state of West Virginia.

43 (c) The provisions of this section relating to the qualifi-
44 cation of persons eligible to serve as superintendent shall
45 not apply to any person serving in the capacity of business
46 manager on the effective date hereof, and who has served
47 in that capacity for at least six consecutive months next
48 preceding the effective date.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the 30th Day of April, 2001.

Governor