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WEST VIRGINIA LEGISLATURE
Regular Session, 2003

ENROLLED

SENATE BILL NO. 652

(By Senator Preziosa, et al)

PASSED March 8, 2003

In Effect 90 days from **Passage**

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SENATE OF WEST VIRGINIA

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Senate Bill No. 652

(BY SENATORS PREZIOSO, UNGER, BOLEY, EDGELL,
ROSS, ROWE, SHARPE, SMITH AND WEEKS)

[Passed March 8, 2003; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article eight, chapter twenty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section one, article eleven of said chapter, all relating to emergency hospitals; and renaming the Marion health care hospital the John Manchin, Sr., health care center.

Be it enacted by the Legislature of West Virginia:

That section one, article eight, chapter twenty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that section one, article eleven of said chapter be amended and reenacted, all to read as follows:

ARTICLE 8. EMERGENCY HOSPITALS.

§26-8-1. Continuation; management; superintendent; qualifications of superintendent; division of fiscal, adminis-

**trative and clinical duties; certain persons exempted
from qualification requirements.**

1 (a) The hospitals heretofore established and known,
2 respectively, as Welch emergency hospital and Fairmont
3 emergency hospital shall be continued and shall be
4 managed, directed and controlled as prescribed in article
5 eleven of this chapter: *Provided*, That the hospital estab-
6 lished as Fairmont emergency hospital and later renamed
7 the Marion health care hospital shall henceforth be known
8 as the John Manchin, Sr., health care center and any
9 reference in this code to the Fairmont emergency hospital
10 or the Marion health care hospital shall mean the John
11 Manchin, Sr., health care center.

12 (b) The chief executive officer of each of said hospitals
13 shall be the superintendent, who shall be a college gradu-
14 ate and have a minimum of two years' experience in either
15 hospital administration, health services administration or
16 businessadministration with broad knowledge of account-
17 ing, purchasing and personnel practices as related to the
18 rendition of health and health related services.

19 (c) For purposes of this section, "superintendent" means
20 the person having the fiscal responsibility of the hospital
21 and the authority to manage and administer the financial,
22 business and personnel affairs of the hospital. "Clinical
23 director" means the person having the responsibility for
24 decisions involving clinical and medical treatment of
25 patients and who shall be a duly qualified physician
26 licensed to practice medicine in the state of West Virginia.

27 (d) The provisions of this section relating to the qualifi-
28 cation of persons eligible to serve as superintendent shall
29 not apply to any person serving in the capacity of business
30 manager on the effective date hereof, and who has served
31 in such capacity for at least six consecutive months next
32 preceding such effective date.

§26-11-1. Management by director of health.

1 The director of health or his or her successor shall
2 manage, direct, control and govern the Andrew S. Rowan
3 memorial home, Denmar hospital, heretofore established
4 and known as Denmar state hospital, Hopemont hospital,
5 heretofore known as Hopemont state hospital, Pinecrest
6 hospital, John Manchin, Sr., health care center, established
7 as the Fairmont emergency hospital and formerly known
8 as the Marion health care hospital and Welch emergency
9 hospital and such other state health care facilities as are or
10 may hereafter be created by law.

11 The director shall designate the functions of each facility
12 and prescribe guidelines for the admission of persons
13 thereto, pursuant to rules and regulations promulgated by
14 the board of health, and shall supervise the business,
15 personnel and clinical responsibilities of each facility:
16 *Provided*, That in prescribing admission guidelines,
17 precedence shall be given to persons unable to pay there-
18 for.

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

Carolyn M. White
.....
Chairman Senate Committee

Shaw Spencer
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

David E. Glick
.....
Clerk of the Senate

Betsy M. Bird
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

Robert S. Shiss
.....
Speaker House of Delegates

The within *is approved* this the *2nd*
Day of *April*, 2003.
Bob Wise
.....
Governor

PRESENTED TO THE
GOVERNOR

Date 3/27/03

Time 10:10a