

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2001

ENROLLED

SENATE BILL NO. 491

(By Senators Wooten, Bailey & Sharpe)

PASSED April 14, 2001

In Effect 90 days from Passage

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Senate Bill No. 491

(BY SENATORS WOOTON, BAILEY AND SHARPE)

[Passed April 14, 2001; in effect ninety 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.

1 (a) The tuberculosis sanitarium heretofore established at
2 Beckley, for the care and treatment of persons afflicted
3 with tuberculosis, shall be continued and shall be known
4 as the Jackie Withrow hospital, and shall be managed,
5 directed and controlled as prescribed in article one,
6 chapter twenty-five and in section eight, article one,
7 chapter sixteen of this code: *Provided*, That the name
8 change shall not become effective until ninety days after
9 the department of health and human resources has pro-
10 vided to the hospital and the hospital has received an
11 additional one hundred thousand dollars over and above
12 the total dollar amount provided to the hospital from the
13 state from all sources for the fiscal year ending the thirti-
14 eth day of June, two thousand one. The one hundred
15 thousand dollars shall to be used by the hospital to offset
16 the additional expenses incurred in changing the name of
17 the hospital, including, but not limited to, software
18 changes, printing costs for documents and stationery,
19 change of name on medicaid certificate, change of signs
20 and equipment which stamps the name of the hospital and
21 the cost of a plaque, bust and other expenses associated
22 with the change of name. The department of health and
23 human resources shall provide this money to the hospital
24 in one lump sum within one hundred eighty days from the
25 effective date of the amendments made to this section in
26 the two thousand one regular session of the Legislature or
27 the name change contemplated herein shall not become
28 effective. The chief executive officer of the hospital shall
29 be the superintendent, who must be a college graduate and
30 have a minimum of two years' experience in either hospital
31 administration, health services administration or business
32 administration with broad knowledge of accounting,
33 purchasing and personnel practices as related to the
34 rendition of health and health related services.

35 (b) A superintendent is the person having the fiscal
36 responsibility of the hospital and the authority to manage
37 and administer the financial, business and personnel
38 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.

[Signature]
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

[Signature]
.....
Clerk of the Senate

[Signature]
.....
Clerk of the House of Delegates

[Signature]
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this the *30th*
Day of *April*, 2001.
[Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date

4/30/01

Time

2:40 pm