

WEST VIRGINIA CODE: §16-1-22A

§16-1-22a. Judicial review of decisions of contested cases.

(a) For purposes of this section:

(1) "Agency" means the Board of Review or the Bureau for Medical Services, as the case may be, that has been named as a party to any proceeding on appeal made pursuant to the provisions of this section.

(2) "Board of Review" or "Board" means the Board of Review operating pursuant to the provisions of §16-1-22 of this code.

(3) "Bureau" means the Bureau for Medical Services.

(b) The board shall provide a fair, impartial and expeditious grievance and appeal process to applicants or recipients of assistance as defined in §9-1-1 *et seq.* of this code. The bureau shall provide a fair, impartial and expeditious grievance and appeal process to providers of Medicaid services.

(c) Any party adversely affected or aggrieved by a final decision or order of the agency may seek judicial review of that decision by filing an appeal to the Intermediate Court of Appeals as provided in §29A-5-4 *et seq.*, of this code.

(d) The process established by this section is the exclusive remedy for judicial review of final decisions of the Board of Review and the Bureau for Medical Services.