

WEST VIRGINIA CODE: §16-5E-1A

§16-5E-1a. Powers, rights and duties of the director.

In the administration of this article, the director shall have the following powers, duties and rights:

(a) To promulgate and enforce rules governing complaint investigations within the homes of legally unlicensed health care providers registered under this article. Such rules shall include the minimum health, safety and welfare standards in the following areas:

- (1) Physical environment;
 - (2) Nutrition;
 - (3) Requirements related to limited and intermittent nursing care;
 - (4) Medication administration;
 - (5) Protective and personal services to be provided;
 - (6) Treatment;
 - (7) Visitation privileges governing access to a resident by immediate family or other relatives of the resident and by other persons who are visiting with the consent of the resident;
 - (8) Such other categories as the director determines to be appropriate to ensure residents' health, safety and welfare.
- (b) To exercise as sole authority all powers relating to issuance, suspension and revocation of registration of legally unlicensed homes providing health care;
- (c) To issue directed plans of correction for deficiencies identified during complaint investigations;
- (d) To order closure of any home for failure to comply with a directed plan of corrections;
- (e) To take all actions required under the provisions of sections three, four, five and six of this article; and
- (f) To deny registration to any operator of a legally unlicensed home who is listed on the state abuse registry.