

WEST VIRGINIA CODE: §30-19-5

§30-19-5. Powers and duties of the board.

(a) The board has all the powers and duties set forth in this article, by rule, in article one of this chapter and elsewhere in law.

(b) The board shall:

- (1) Hold meetings, conduct hearings and administer examinations;
- (2) Establish requirements for a certification or permit;
- (3) Establish procedures for submitting, approving and rejecting applications for a certification or permit;
- (4) Determine the qualifications of any applicant for a certification or permit;
- (5) Prepare, conduct, administer and grade written, oral or written and oral examinations for a certificate;
- (6) Determine the passing grade for the examinations;
- (7) Maintain records of the examinations the board or a third party administers, including the number of persons taking the examination and the pass and fail rate;
- (8) Maintain an office, and hire, discharge, establish the job requirements and fix the compensation of employees and contracted employees necessary to enforce this article;
- (9) Investigate alleged violations of this article, legislative rules, orders and final decisions of the board;
- (10) Conduct disciplinary hearings of persons regulated by the board;
- (11) Determine disciplinary action and issue orders;
- (12) Institute appropriate legal action for the enforcement of this article;
- (13) Maintain an accurate registry of names and addresses of all persons regulated by the board;
- (14) Keep accurate and complete records of its proceedings, and certify the same as may be necessary and appropriate;
- (15) Establish, by legislative rule, the continuing education requirements for certificate holders and permittees; and

(16) Propose rules in accordance with article three, chapter twenty-nine-a of this code to implement this article.

(c) The board may:

(1) Contract with third parties to administer the examinations required under this article;

(2) Define, by legislative rule, the fees charged under this article;

(3) Issue, renew, deny, suspend, revoke or reinstate a certification or permit;

(4) Sue and be sued in its official name as an agency of this state;

(5) Confer with the Attorney General or his or her assistant in connection with legal matters and questions; and

(6) Take all other actions proper to effectuate the purposes of this article.