

WEST VIRGINIA CODE: §15A-9-1

§15A-9-1. Office created; appointment of Chief Hearing Examiner.

- (a) The Office of Administrative Hearings is created as a separate operating agency within the department.
- (b) The secretary shall appoint a director of the office who serves as the administrative head of the office and as Chief Hearing Examiner.
- (c) The Chief Hearing Examiner shall be a citizen of the United States and a resident of this state who is admitted to the practice of law in this state.
- (d) The salary of the Chief Hearing Examiner shall be set by the secretary of the department.
- (e) In addition to adherence to the code of conduct set forth in §6B-2-5a of this code, the Chief Hearing Examiner during his or her term shall:
- (1) Not engage directly or indirectly in any activity, occupation, or business interfering or inconsistent with his or her duties as Chief Hearing Examiner;
 - (2) Not hold any other appointed public office or any elected public office or any other position of public trust; and
 - (3) Not be a candidate for any elected public office, or serve on or under any committee of, any political party.
- (f) The Chief Hearing Examiner serves at the will and pleasure of the secretary.