

WEST VIRGINIA CODE: §16-5J-4

§16-5J-4. Powers and duties.

In addition to promulgating rules specified in section three of this article, the director of the department of health, with the advice of the advisory board created in section five of this article, has the power to:

- (a) Adopt rules for clinical laboratory licensure;
- (b) Establish rules for continued evaluation of laboratory testing, such rules and evaluations being at least equivalent to the appropriate section of the "Clinical Laboratory Improvement Act of 1967";
- (c) Institute and administer a program of inspection to ensure compliance with standards established in this article and rules established pursuant to this article;
- (d) Issue a license to those clinical laboratories which meet requirements for licensure under this article;
- (e) Set a reasonable fee for application and licensure;
- (f) Withhold, revoke or suspend or restrict the license of any clinical laboratory which fails to meet requirements for licensure or relicensure.

The cost of the initial inspection of any new laboratory constructed after July 1, 1990, shall be the responsibility of the prospective licensee.

Within the limit of available funds, the department of health shall inspect clinical laboratories on a periodic basis to ensure compliance with standards and regulations.