

WEST VIRGINIA CODE: §18-10A-14

§18-10A-14. Duties of assistant director of social security disability determination section.

In addition to duties imposed by other federal and state laws, the assistant director shall:

- (1) Ensure that each client of the agency who is denied benefits is
 - (a) Advised of his right to appeal an agency decision to an administrative law judge,
 - (b) Advised of proper procedures for filing and pursuing an appeal, and
 - (c) Encouraged to exercise his right of appeal when he feels a decision was made in error and is unjust;
- (2) Promulgate rules establishing criteria for granting promotion and salary increases which are to be based on merit;
- (3) Prepare and submit to the state board, and the social security disability board, an annual report showing compliance and noncompliance with the provisions of this section. A copy of the report shall be filed with the Secretary of State's office to be made available for public inspection;
- (4) Ensure that physicians evaluating medical impairments are qualified by experience and educational specialty to make proper medical judgments on the medical impairments they are assigned to evaluate; and
- (5) Ensure that the evaluation of the claimant's personal physician is given due consideration in the disability determination process.