

# WEST VIRGINIA CODE: §30-23-6

## **§30-23-6. 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 license, apprentice license and permit;

(3) Establish procedures for submitting, approving and rejecting applications for a license, apprentice license and permit;

(4) Determine the qualifications of any applicant for a license, permit, certificate and registration;

(5) Provide standards for approved schools of Medical Imaging and Radiation Therapy Technology, procedures for obtaining and maintaining approval, and procedures of revocation of approval where standards are not maintained: Provided, That the standards for approved schools meet at least the minimal requirements of the American Registry of Radiologic Technologist JRCERT, JRCNMT or standards determined programmatically equivalent by the board;

(6) Work with the West Virginia Board of Medicine to determine the scope of practice, the required education and training, and the type of regulations necessary for Radiologist Assistants;

(7) Prepare, conduct, administer and grade written, oral or written and oral examinations for a license, certificate and registration;

(8) Determine the passing grade for the examinations;

(9) 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;

(10) Maintain an office, and hire, discharge, establish the job requirements and fix the compensation of employees and contract with persons necessary to enforce the provisions of this article;

(11) Investigate alleged violations of the provisions of this article, legislative rules, orders and final decisions of the board;

- (12) Conduct disciplinary hearings of persons regulated by the board;
  - (13) Determine disciplinary action and issue orders;
  - (14) Institute appropriate legal action for the enforcement of the provisions of this article;
  - (15) Maintain an accurate registry of names and addresses of all persons regulated by the board;
  - (16) Keep accurate and complete records of its proceedings, and certify the same as may be necessary and appropriate;
  - (17) Establish, by legislative rule, the continuing education requirements for licensees, permittees, certificate holders and registrants; and
  - (18) Propose rules in accordance with the provisions of article three, chapter twenty-nine-a of this code to implement the provisions of this article.
- (c) The board may:
- (1) Contract with third parties to administer the examinations required under the provisions of this article;
  - (2) Define, by legislative rule, the fees charged under the provisions of this article;
  - (3) Issue, renew, deny, suspend, revoke or reinstate a license, permit, certificate and registration;
  - (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 necessary and proper to effectuate the purposes of this article.