

# WEST VIRGINIA CODE: §30-31-5

## **§30-31-5. 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 licenses;
- (3) Establish procedures for submitting, approving and rejecting applications for a license;
- (4) Determine the qualifications of any applicant for a license;
- (5) Prepare, conduct, administer and grade written, oral or written and oral examinations for a license;
- (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) Hire, discharge, establish the job requirements and fix the compensation of the executive director;
- (9) Maintain an office, and hire, discharge, establish the job requirements and fix the compensation of employees and contracted employees necessary to enforce the provisions of this article;
- (10) Investigate alleged violations of the provisions of this article, legislative rules, orders and final decisions of the board;
- (11) Establish a fee schedule;
- (12) Issue, renew, deny, suspend, revoke or reinstate a license;
- (13) Conduct disciplinary hearings of persons regulated by the board;
- (14) Determine disciplinary action and issue orders;
- (15) Institute appropriate legal action for the enforcement of the provisions of this article;
- (16) Maintain an accurate registry of names and addresses of all persons regulated by the

board;

(17) Keep accurate and complete records of its proceedings, and certify the same as may be necessary and appropriate;

(18) Establish the continuing education requirements for licensees;

(19) Propose rules in accordance with the provisions of article three, chapter twenty-nine-a of this code to implement the provisions of this article; and

(20) Take all other actions necessary and proper to effectuate the purposes of this article.

(c) The board may:

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

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

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