

# 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.