

# WEST VIRGINIA CODE: §30-7-4

## **§30-7-4. Organization and meetings of board; quorum; powers and duties generally; executive secretary; funds.**

(a) The board has all the powers and duties set forth in this article, in §30-1-1 *et seq.* of this code and elsewhere in law, including the ability to:

- (1) Hold meetings;
- (2) Establish procedures for submitting, approving, and rejecting applications for a license and permit;
- (3) Determine the qualifications of an applicant for a license and permit;
- (4) Establish the fees charged under the provisions of this article;
- (5) Issue, renew, restrict, deny, suspend, revoke, or reinstate a license and permit;
- (6) Prepare, conduct, administer, and grade written, oral, or written and oral examinations for a license;
- (7) Contract with third parties to administer the examinations required under the provisions of this article;
- (8) 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;
- (9) 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;
- (10) Employ investigators, attorneys, hearing examiners, consultants, and other employees as may be necessary who are exempt from the classified service and who serve at the will and pleasure of the board;
- (11) Delegate hiring of employees to the executive director;
- (12) Investigate alleged violations of the provisions of this article and legislative rules, orders, and final decisions of the board;
- (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) Public meeting minutes to its website within 14 days of a meeting;
  - (19) Propose rules in accordance with the provisions of §29A-3-1 *et seq.* of this code to implement the provisions of this article;
  - (20) Sue and be sued in its official name as an agency of this state;
  - (21) Approve a nursing school;
  - (22) Establish a nurse health program;
  - (23) Implement the provisions of the enhanced nurse licensure compact in accordance with §30-7B-1 *et seq.* of this code;
  - (24) Coordinate with and assist the Center for Nursing in accordance with §30-7B-1 *et seq.* of this code; and
  - (25) Confer with the Attorney General or his or her assistant in connection with legal matters and questions.
- (b) All fees and other moneys collected by the board pursuant to the provisions of this article shall be kept in a separate fund and expended solely for the purpose of this article. No part of this special fund shall revert to the General Funds of this state. The compensation provided by this article and all expenses incurred under this article shall be paid from this special fund. No compensation or expense incurred under this article shall be a charge against the General Funds of this state.