AN ACT to amend and reenact article ten-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto two new sections, designated sections thirteen and fourteen, all relating to vocational rehabilitation, continuation of social security disability determination section; and providing duties of assistant director of social security disability determination section.

Be it enacted by the Legislature of West Virginia:

That article ten-a, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto two new sections, designated sections thirteen and fourteen, all to read as follows:

ARTICLE 10A. VOCATIONAL REHABILITATION.

1 The disability determination section of the division of vocational rehabilitation created pursuant to the provisions of section three, article ten-a, chapter eighteen of this code, is hereby continued and shall be named the social security disability determination section.

6 The social security disability determination section shall be subject to chapter twenty-nine-a of this code.
§18-10A-14. Duties of assistant director of social security disability determination section.

1 In addition to duties imposed by other federal and state laws, the assistant director shall:
2 (1) Ensure that each client of the agency who is denied benefits is
3 (a) advised of his right to appeal an agency decision to an administrative law judge,
4 (b) advised of proper procedures for filing and pursuing an appeal, and
5 (c) encouraged to exercise his right of appeal when he feels a decision was made in error and is unjust;
6 (2) Promulgate rules establishing criteria for granting promotion and salary increases which are to be based on merit;
7 (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;
8 (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
9 (5) Ensure that the evaluation of the claimant's personal physician is given due consideration in the disability determination process.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the ___ day of May, 1985.

Governor
PRESENTED TO THE
GOVERNOR

Date 4/14/55

Time 8:19 p.m.