West Virginia Public Employees Insurance Agency
Administrative Process Workflow Process
Promulgated under West Virginia Code Sections §5-16-12 and §5-16-12a

PEIA will at all times be represented by its General Counsel and/or a contracted attorney

Information obtained is submitted to the PEIA Legal Department for review to determine potential violation of Plan Rule(s).

Request(s) for additional information is/are made and/or verification of information on-hand

If fraudulent and/or criminal activity is identified, e.g. fraudulent document submissions, forged signatures, falsified documents, etc., the matter will be referred to the appropriate law enforcement agency

If member or employer are responsible for violation of Plan Rule(s), notification is made and a plan of repayment is implemented

PEIA Legal makes an initial determination of responsibility for the violation of the Plan Rule(s) or that no violation occurred

Member and/or employer is/are given the opportunity to refute/dispute the alleged violation(s) and/or to request additional information

E-mail and/or Certified letter(s) sent to member and their employer with an outline of alleged violation(s) of Plan Rule(s)

If member and/or employer contest(s) the findings, the administrative hearing process is initiated.

Pre-hearing conference is held as per PEIA guidance

Subpoena(s) issued, as requested or needed, for witnesses and/or documents.

Administrative hearing is held if no resolution at pre-hearing conference.

If judgment is in member or employer's favor, the matter is closed. If the judgment is in PEIA's favor, either against the member or the employer, PEIA initiates recovery(ies) as allowed by law.