

WEST VIRGINIA CODE: §16-49-4

§16-49-4. Notice of ineligibility; prohibited participation as direct access personnel or department employee.

(a) If the secretary's review of the applicant's criminal history record information reveals a disqualifying offense, the secretary shall provide written notice to the bureau, covered provider, or covered contractor advising that the applicant is ineligible for work. The secretary may not disseminate the criminal history record information.

(b) The department, covered provider, or covered contractor may not engage an applicant with a disqualifying offense as direct access personnel. If the applicant has been provisionally employed pursuant to §16-49-6 of this code, the employer shall terminate the provisional employment upon receipt of the notice.