WEST VIRGINIA CODE: §16-60-8

§16-60-8. Adverse actions.

(a) A home state has exclusive power to impose adverse action against an individual's license issued by the home state.

(b) If an individual's license in any home state is restricted or suspended, the individual may not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.

(1) All home state adverse action orders shall include a statement that the individual's Compact privileges are inactive. The order may allow the individual to practice in remote states with prior written authorization from both the home state and remote state's EMS authority.

(2) An individual currently subject to adverse action in the home state may not practice in any remote state without prior written authorization from both the home state and remote state's EMS authority.

(c) A member state shall report adverse actions and any occurrences where the individual's Compact privileges are restricted, suspended, or revoked to the Commission in accordance with the rules of the Commission.

(d) A remote state may take adverse action on an individual's privilege to practice within that state.

(e) Any member state may take adverse action against an individual's privilege to practice in that state based on the factual findings of another member state, so long as each state follows its own procedures for imposing such adverse action.

(f) A home state's EMS authority shall investigate and take such appropriate action with respect to reported conduct in a remote state as it would if such conduct had occurred within the home state. In such cases, the home state's law shall control in determining the appropriate adverse action.

(g) Nothing in this Compact may override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation shall remain nonpublic if required by the member state's laws. Member states must require individuals who enter any alternative programs to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

WV Legislature