WEST VIRGINIA CODE: §16B-15-4

§16B-15-4. Notice of ineligibility; prohibited participation as direct access personnel or department employee.

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

(b) The director, 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 §16B-15-6 of this code, the employer shall terminate the provisional employment upon receipt of the notice.

WV Legislature