WEST VIRGINIA CODE: §16b-15-7

§16B-15-7. Clearance for subsequent employment.

(a) An applicant is not required to submit to fingerprinting and a criminal background check if:

(1) The individual previously submitted to fingerprinting and a full criminal background check as required by this article;

(2) The prior criminal background check confirmed that the individual did not have a disqualifying offense or the individual received prior clearance by an approved variance from the director to work for or with the same type of covered provider or covered contractor; and

(3) The Rap Back Program has not identified any criminal activity that constitutes a disqualifying offense.

(b) The director shall provide notice of prior clearance or approved variance for direct access status upon request by a subsequent bureau, covered provider, or covered contractor inquiries within 10 days of the request.

WV Legislature