WEST VIRGINIA CODE: §30-28A-5

§30-28A-5. Obtaining a new home state license by virtue of compact privilege.

(a) An occupational therapist or occupational therapy assistant may hold a home state license, which allows for compact privileges in member states, in only one member state at a time.

(b) If an occupational therapist or occupational therapy assistant changes primary state of residence by moving between two member states:

(1) The occupational therapist or occupational therapy assistant shall file an application for obtaining a new home state license by virtue of a compact privilege, pay all applicable fees, and notify the current and new home state in accordance with applicable rules adopted by the commission; and

(2) Upon receipt of an application for obtaining a new home state license by virtue of compact privilege, the new home state shall verify that the occupational therapist or occupational therapy assistant meets the pertinent criteria outlined in §30-28A-4 of this code via the data system, without need for primary source verification except for:

(A) An FBI fingerprint based criminal background check if not previously performed or updated pursuant to the applicable rules adopted by the commission in accordance with Public Law 92-544;

(B) Other criminal background check as required by the new home state; and

(C) Submission of any requisite jurisprudence requirements of the new home state.

(3) The former home state shall convert the former home state license into a compact privilege once the new home state has activated the new home state license in accordance with applicable rules adopted by the commission.

(4) Notwithstanding any other provision of this compact, if the occupational therapist or occupational therapy assistant cannot meet the criteria in §30-28A-4 of this code, the new home state shall apply its requirements for issuing a new single-state license.

(5) The occupational therapist or occupational therapy assistant shall pay all applicable fees to the new home state in order to be issued a new home state license.

(c) If an occupational therapist or occupational therapy assistant changes primary state of residence by moving from a member state to a non-member state, or from a non-member state to a member state, the state criteria shall apply for issuance of a single-state license in the new state.

WV Legislature

(d) Nothing in this compact shall interfere with a licensee's ability to hold a single-state license in multiple states: *Provided*, That for the purposes of this compact, a licensee shall have only one home state license.

(e) Nothing in this compact shall affect the requirements established by a member state for the issuance of a single-state license.

WV Legislature