WEST VIRGINIA CODE: §30-31A-3

§30-31A-3. State participation in the compact.

(a) To participate in the compact, a state shall currently:

(1) License and regulate licensed professional counselors;

(2) Require licensees to pass a nationally recognized exam approved by the commission;

(3) Require licensees to have a 60 semester-hour (or 90 quarter-hour) master's degree in counseling or 60 semester-hours (or 90 quarter-hours) of graduate course work including the following topic areas:

(A) Professional counseling orientation and ethical practice;

(B) Social and cultural diversity;

(C) Human growth and development;

(D) Career development;

(E) Counseling and helping relationships;

(F) Group counseling and group work;

(G) Diagnosis and treatment; assessment and testing;

(H) Research and program evaluation; and

(I) Other areas as determined by the commission.

(4) Require licensees to complete a supervised postgraduate professional experience as defined by the commission;

(5) Have a mechanism in place for receiving and investigating complaints about licensees.

(b) A member state shall:

(1) Participate fully in the commission's data system, including using the commission's unique identifier as defined in rules;

(2) Notify the commission, in compliance with the terms of the compact and rules, of any adverse action or the availability of investigative information regarding a licensee;

(3) Implement or utilize procedures for considering the criminal history records of applicants

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for an initial privilege to practice. These procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records;

(A) A member state shall fully implement a criminal background check requirement, within a timeframe established by rule, by receiving the results of the Federal Bureau of Investigation record search and shall use the results in making licensure decisions.

(B) Communication between a member state, the commission, and among member states regarding the verification of eligibility for licensure through the compact may not include any information received from the Federal Bureau of Investigation relating to a federal criminal records check performed by a member state under Public Law 92-544.

(4) Comply with rules of the commission;

(5) Require an applicant to obtain or retain a license in the home state and meet the home state's qualifications for licensure or renewal of licensure, as well as all other applicable state laws;

(6) Grant the privilege to practice to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the compact and rules; and

(7) Provide for the attendance of the state's commissioner to the counseling compact commission meetings.

(c) Member states may charge a fee for granting the privilege to practice.

(d) Individuals not residing in a member state shall continue to be able to apply for a member state's single state licensure as provided under the laws of each member state. However, the single state licensure granted to these individuals may not be recognized as granting a privilege to practice professional counseling in any other member state.

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

(f) A licensure issued to a licensed professional counselor by a home state to a resident in that state shall be recognized by each member state as authorizing a licensed professional counselor to practice professional counseling, under a privilege to practice, in each member state.

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