

# WEST VIRGINIA CODE: §30-31A-4

## **§30-31A-4. Privilege to practice.**

(a) To exercise the privilege to practice under the terms and provisions of the compact, the licensee shall:

- (1) Hold a license in the home state;
  - (2) Have a valid United State Social Security Number or National Practitioner Identifier;
  - (3) Be eligible for a privilege to practice in any member state in accordance with §30-31A-4(d), §30-31A-4(g), and §30-31A-4(h) of this code;
  - (4) Have not had any encumbrance or restriction against any license or privilege to practice within the previous two years;
  - (5) Notify the commission that the licensee is seeking the privilege to practice within a remote state or states;
  - (6) Pay any applicable fees, including any state fee, for the privilege to practice;
  - (7) Meet any continuing competence or education requirements established by the home state;
  - (8) Meet any jurisprudence requirements established by the remote state or states in which the licensee is seeking a privilege to practice; and
  - (9) Report to the commission adverse action, encumbrance, or restriction on license taken by any non-member state within 30 days from the date of the action is taken.
- (b) The privilege to practice is valid until the expiration date of the home state license. The licensee must comply with the requirements of §30-31A-4(a) of this code to maintain the privilege to practice in the remote state.
- (c) A licensee providing professional counseling in a remote state under the privilege to practice shall adhere to the laws and regulations of the remote state.

(d) A licensee providing professional counseling services in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's privilege to practice in the remote state for a specific period of time, impose fines, or take any other necessary actions to protect the health and safety of its citizens. The licensee may be ineligible for a privilege to practice in any member state until the specific time for removal has passed and all fines are paid.

(e) If a home state license is encumbered, the licensee shall lose the privilege to practice in any remote state until the following occur:

(1) The home state license is no longer encumbered; and

(2) Have not had any encumbrance or restriction against any license or privilege to practice within the previous two years.

(f) Once an encumbered license in the home state is restored to good standing, the licensee shall meet the requirements of §30-31A-4(a) of this code to obtain a privilege to practice in any remote state.

(g) If a licensee's privilege to practice in any remote state is removed, the individual may lose the privilege to practice in all other remote states until the following occur:

(1) The specific period for which the privilege to practice was removed has ended;

(2) All fines have been paid; and

(3) Have not had any encumbrance or restriction against any license or privilege to practice within the previous two years.

(h) Once the requirements of §30-31A-4(g) of this code have been met, the licensee shall meet the requirements in §30-31A-4(a) of this code to obtain a privilege to practice in a remote state.