

WEST VIRGINIA CODE: §30-32-11A

§30-32-11a. Criminal history record checks.

- (a) The West Virginia Board of Examiners for Speech-Language Pathology and Audiology may require state and national criminal history record checks for the purpose of issuing licenses. The West Virginia Board of Examiners for Speech-Language Pathology and Audiology shall require an applicant for initial privilege to practice in a remote state under the Speech-Language Pathologists and Audiologists Compact, including speech-language pathologists, audiologists, and speech-language pathology and audiology assistants, to submit to a state and national criminal history record check as set forth in this section.
- (b) The applicant shall meet all requirements necessary to accomplish the state and national criminal history record check, including:
- (1) Submitting fingerprints for the purposes set forth in this subsection; and
 - (2) Authorizing the board, the West Virginia State Police, and the Federal Bureau of Investigation to use all records submitted and produced for the purpose of screening the applicant for a license.
- (c) The results of the state and national criminal history record check may not be released to or by a private entity except:
- (1) To the individual who is the subject of the criminal history record check;
 - (2) With the written authorization of the individual who is the subject of the criminal history record check; or
 - (3) Pursuant to a court order.
- (d) The criminal history record check and related records are not public records for the purposes of §29B-1-1 *et seq.* of this code.
- (e) The applicant shall ensure that the criminal history record check is completed as soon as possible after the date of the original application for privilege to practice.
- (f) The applicant shall pay the actual costs of the fingerprinting and criminal history record check.
- (g) The board may propose rules or amendments to existing rules for legislative approval, pursuant to the provisions of §29A-3-1 *et seq.* of this code, or may promulgate emergency rules, pursuant to §29A-3-15 of this code, to comply with the provisions of this section.