WEST VIRGINIA CODE: §30-34A-3

§30-34A-3. State participation in the compact.

(a) In order to participate in this compact and thereafter continue as a member state, a member state shall:

(1) Enact a compact that is not materially different from the model compact;

(2) License respiratory therapists;

(3) Participate in the commission's data system;

(4) Have a mechanism in place for receiving and investigating complaints against licensees and compact privilege holders;

(5) Notify the commission, in compliance with the terms of this compact and commission rules, of any adverse action against a licensee, a compact privilege holder, or a license applicant;

(6) Notify the commission, in compliance with the terms of this compact and commission rules, of the existence of significant investigative information;

(7) Comply with the rules of the commission;

(8) Grant the compact privilege to a holder of an active home state license and otherwise meet the applicable requirements of §30-34A-4 of this code in a member state; and,

(9) Complete a criminal background check for each new licensee at the time of initial licensure.

(b) Where expressly authorized or permitted by federal law, whether such federal law is in effect prior to, at, or after the time of a member state's enactment of this compact, a member state's enactment of this compact shall hereby authorize the member state's respiratory therapy licensing authority to perform criminal background checks as defined herein. The absence of such a federal law as described in this subsection shall not prevent or preclude such authorization where it may be derived or granted through means other than the enactment of this compact.

(c) Nothing in this compact prohibits a member state from charging a fee for granting and renewing the compact privilege.

WV Legislature