WEST VIRGINIA CODE: §33-64-4

§33-64-4. Brokers; commissions.

(a) A broker is not required to register as a wellness reimbursement program, arrangement, or benefit plan administrator to acquire commissions paid by such a company.

(b) A broker is not an employee of the wellness reimbursement program, arrangement, or benefit plan administrator and is only necessary to facilitate the partnership of the wellness reimbursement program, arrangement, or benefit plan administrator and the respective employee group enrolling in the wellness reimbursement program, arrangement, or benefit plan being that the services of the wellness reimbursement program, arrangement, or benefit plan are not straight-to-market services.

(c) Notwithstanding any provision of subsections (a) or (b) of this section to the contrary, a broker may not cause or knowingly permit the use of any advertisement, promotion, solicitation, representation, proposal, or offer that is untrue, deceptive, or misleading.

(d) A broker shall exercise good faith and fair dealing to a person when offering, selling, marketing, or promoting a wellness reimbursement program, arrangement, or benefit plan.