

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2354

BY DELEGATES HOWELL, HANNA, HOTT. STEELE,
LINVILLE, PACK, PHILLIPS, CADLE, WORRELL, HILL,
WILSON

[Introduced January 14, 2019; Referred
to the Committee on Government Organization.]

1 A BILL to amend and reenact §30-27-9 of the Code of West Virginia, 1931, as amended, relating
 2 to removing requirements to take an examination for a license to practice in this state, to
 3 the creation of a provisional license to practice in this state by an applicant with an expired
 4 license from another state, and directing the board to set the applicable fees for a
 5 provisional license.

Be it enacted by the Legislature of West Virginia:

**§30-27-9. Professional license from another state; license to practice in this state;
provisional license to practice in this state.**

1 (a) The board shall issue a professional license to practice to an applicant of good moral
 2 character who holds a valid license or other authorization to practice in that particular field from
 3 another state, if the applicant demonstrates that he or she:

4 (1) Holds a valid license or other authorization to practice in another state which was
 5 granted after completion of educational requirements required in another state; ~~substantially~~
 6 ~~equivalent to those required in this state and passed an examination that is substantially~~
 7 ~~equivalent to the examination required in this state~~

8 (2) Does not have charges pending against his or her valid license or other authorization
 9 to practice and has never had a valid license or other authorization to practice revoked;

10 ~~(3) Has not previously failed an examination for professional licensure in this state~~

11 ~~(4)~~ (3) Has paid the applicable fee;

12 ~~(5)~~ (4) Is at least 18 years of age;

13 ~~(6)~~ (5) Has a high school diploma, a GED, or has passed the "ability to benefit test"
 14 approved by the United States Department of Education;

15 ~~(7)~~ (6) Is a citizen of the United States or is eligible for employment in the United States;

16 ~~(8)~~ (7) Has presented a certificate of health issued by a licensed physician; and

17 ~~(9)~~ (8) Has fulfilled any other requirement specified by the board.

18 (b) The board shall award an applicant holding an expired license from another state a
19 provisional license to practice in this state: *Provided*, That applicant does not have charges
20 pending against his or her expired license or other authorization to practice and has never had a
21 license revoked or other authorization to practice revoked. The provisional license will become a
22 full license after the applicant:

23 (1) Has worked for one year under the supervision of someone with a valid license in this
24 state;

25 (2) Does not have any complaints filed against him or her during the year the applicant
26 holds a provisional license;

27 (3) Has paid all applicable fees for a provisional license and valid license;

28 (4) Is at least 18 years of age;

29 (5) Has a high school diploma, a GED, or has passed the “ability to benefit test” approved
30 by the United States Department of Education;

31 (6) Is a citizen of the United States or is eligible for employment in the United States;

32 (7) Has presented a certificate of health issued by a licensed physician; and

33 (8) Has fulfilled any other requirement specified by the board.

34 The board may determine the applicable fees for a provisional license: *Provided*, That the
35 cost shall not exceed one-half the cost of a full license.

36 ~~(b) In its discretion, the board may examine a person by a written, oral or skills test for~~
37 ~~licensing under this section, and may enter into agreements for reciprocal licensing with other~~
38 ~~jurisdictions having substantially similar requirements for licensure~~

NOTE: The purpose of this bill is to remove requirements to take an examination for a license to practice in this state, to create a provisional license to practice in this state by an applicant with an expired license from another state; and, direct the board to set the applicable fees for a provisional license.

Strike-throughs indicate language that would be stricken from a heading or the present law

and underscoring indicates new language that would be added.