

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 458

By Senators Smith (Mr. President) and Woelfel

[By Request of the Executive]

[Introduced on February 13, 2025; referred
to the Committee on Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §30-1-27, relating to the establishment of universal professional and
3 occupational licensing, registration, and certification.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 1. GENERAL PROVISIONS APPLICABLE TO ALL STATE BOARDS OF
EXAMINATION OR REGISTRATION REFERRED TO IN CHAPTER.**

§30-1-27. Universal Professional and Occupational Licensing Act of 2025.

1 (a) Notwithstanding any other provision of this code to the contrary, every board of
2 examination or registration in this chapter shall issue an occupational or professional license,
3 registration, or certificate without examination in the discipline applied for and at the same practice
4 level as determined, to a person who either:

5 (1) Establishes residence in this state; or

6 (2) Is married to an active-duty member of the armed forces of the United States and has
7 accompanied the member to an official permanent change of station to a military installation
8 located in this state.

9 (b) To qualify for a license under this section, a person listed in division (a)(1) or (a)(2) of
10 this section must apply to a board of examination or registration in this chapter for a license in a
11 particular discipline and meet all of the following criteria:

12 (1) The person is currently licensed, registered, or certified in at least one other state in the
13 discipline applied for and at the same practice level as determined by the board of examination or
14 registration in this chapter;

15 (2) The person's license, registration, or certification is in good standing in all states in
16 which the person holds a license, registration, or certification;

17 (3) The person has been licensed, registered, or certified by another state for at least one
18 year;

19 (4) The person was licensed, registered, or certified by another state where there were
20 minimum education requirements and, if applicable, work experience and clinical supervision
21 requirements in effect and the other state verifies that the person met those requirements in order
22 to be licensed, registered, or certified in that state;

23 (5) The person previously passed an examination required for the license, registration, or
24 certification if required by the other state;

25 (6) The person has not had a license, registration, or certificate revoked or has not
26 voluntarily surrendered a license, registration, or certificate in any other state or country while
27 under investigation for unprofessional conduct;

28 (7) The person has not had any other form of discipline imposed by any other regulating
29 entity: *Provided*, That if another state's regulating entity has taken disciplinary action against the
30 person, a board of examination or registration in this state may issue the person a license,
31 registration, or certificate if it determines the cause of action in the other state was corrected and
32 the matter fully resolved. If the matter has not been resolved in the other state, the board of
33 examination or registration in this state may not issue or deny a license until the matter is resolved;

34 (8) The person pays all applicable fees in this state; and

35 (9) The person does not have a disqualifying criminal history as determined by the board of
36 examination or registration in this state.

37 (c) This section does not prevent a board of examination or registration in this chapter from
38 entering into a reciprocity agreement with another state or jurisdiction for persons married to active
39 duty members of the armed forces of the United States, except that the agreement may not allow
40 out-of-state licensees or certificate holders to obtain a license or certificate by reciprocity in this
41 state if the applicant has not met standards that are substantially equivalent to or greater than the
42 standards required in this state as determined by the regulating entity on a case-by-case basis.

43 (d) Notwithstanding subsection (a) of this section, a board of examination or registration in
44 this chapter that administers an examination on laws of this state as part of its license, registration,

45 or certificate process may require a person who applies for a license, registration, or certification
46 under this section to take and pass an examination specific to the laws of this state.

47 (e) A person who is licensed pursuant to this section is subject to the laws regulating the
48 person's practice in this state and is subject to the jurisdiction of the board of examination or
49 registration who issued the license, registration, or certification under this section.

50 (f) This section does not apply to:

51 (1) Any license authorizing a person to practice law in this state; or

52 (2) Any requirement for a background investigation by the West Virginia State Police under
53 §29-22B-601 et seq. of this code.

54 (g) A license or certificate issued pursuant to this section is valid only in this state and does
55 not make the person eligible to be part of an interstate compact. A board of examination or
56 registration in this chapter may determine eligibility for a person to be licensed or certified under
57 this section if the person is not part of an interstate compact.

58 (h) All boards of examination or registration in this chapter shall prominently print the
59 following notice on all license, registration, and certificate applications and websites:

60 Pursuant to W. Va. Code §30-1-27, a person shall be granted an occupational or
61 professional license, registration, or certificate if the person has been licensed or
62 certified in another state for at least twelve months, the license, registration, or
63 certificate is in the same discipline and at the same practice level as the license,
64 registration, or certificate for which the person is applying in this state and the
65 person meets other conditions prescribed by W. Va. Code §30-1-27.

66 (i) Beginning July 1, 2025, all board of examination or registration that are required to issue
67 occupational or professional licenses, registrations, or certificates pursuant to this section shall
68 track information about applications received and submit and report that information to the
69 Secretary of the Department of Commerce and the Senate and House committees on government
70 organization on or before the fifteenth day following the end of each quarter.

NOTE: The purpose of this bill is to universal professional and occupational licensing reciprocity in West Virginia and standards used by boards of examination and registration for accepting the professional and occupational licenses issued by other states.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.