

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 458

BY SENATORS SMITH (MR. PRESIDENT) AND WOELFEL

(BY REQUEST OF THE EXECUTIVE)

[Passed April 2, 2025; in effect 90 days from passage (July 1, 2025)]

1 AN ACT 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 by the board of examination or registration, 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 subdivision (1) or (2),
10 subsection (a) of this section must apply to a board of examination or registration in this chapter
11 for a license in a 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
13 the discipline applied for and at the same practice level as determined by the board of examination
14 or 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: *Provided*, That
18 for professions regulated by §30-3-1 *et seq.* or §30-14-1 *et seq.* of this code, the person has been

19 licensed to practice medicine, podiatric medicine, or osteopathic medicine without clinical
20 supervision after successfully completing a graduate medical education program approved by
21 the Accreditation Council for Graduate Medical Education, the American Osteopathic Association,
22 or the Council on Podiatric Medical Education or Colleges of Podiatric Medicine: *Provided further,*
23 That for professions regulated by §30-4-1 *et seq.* of this code, the person shall have completed a
24 clinical hand-skills exam;

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

29 (5) The person previously passed any examinations, written or clinical, required for the
30 license, registration, or certification if required by the other state;

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

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

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

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

43 (c) This section does not prevent a board of examination or registration in this chapter
44 from entering into a reciprocity agreement with another state or jurisdiction for persons married to

45 active duty members of the armed forces of the United States, except that the agreement may
46 not allow out-of-state licensees or certificate holders to obtain a license or certificate by reciprocity
47 in this state if the applicant has not met standards that are substantially equivalent to or greater
48 than the standards required in this state as determined by the regulating entity on a case-by-case
49 basis.

50 (d) Notwithstanding subsection (a) of this section, a board of examination or registration
51 in this chapter that administers an examination on laws of this state as part of its license,
52 registration, or certificate process may require a person who applies for a license, registration, or
53 certification under this section to take and pass an examination specific to the laws of this state.

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

57 (f) This section does not apply to:

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

59 (2) Any state board of examination or registration that is subject to direct oversight by a
60 federal agency and has requirements for licensure or certification that are less restrictive than
61 those outlined in this section; or

62 (3) Any requirement for a state or national criminal history record check that a board may
63 require pursuant to any provision of this chapter.

64 (g) A license or certificate issued pursuant to this section is valid only in this state and
65 does not grant the person compact privilege under an interstate compact. A board of examination
66 or registration in this chapter may determine eligibility for a person to be licensed or certified under
67 this section if the person is not part of an interstate compact.

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

70 Pursuant to W. Va. Code §30-1-27, a person shall be granted an occupational or
71 professional license, registration, or certificate if the person has been licensed or
72 certified in another state, the license, registration, or certificate is in the same
73 discipline and at the same practice level as the license, registration, or certificate
74 for which the person is applying in this state and the person meets other conditions
75 prescribed by W. Va. Code §30-1-27.

76 (i) Beginning July 1, 2025, all boards of examination or registration that are required to
77 issue occupational or professional licenses, registrations, or certificates pursuant to this section
78 shall track information about applications received and submit and report that information to the
79 Secretary of the Department of Commerce and the Senate and House Committees on
80 Government Organization on or before the fifteenth day following the end of each quarter.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the Senate

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Clerk of the House of Delegates

Originated in the Senate.

In effect 90 days from passage.

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President of the Senate

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Speaker of the House of Delegates

The within is this the.....
Day of, 2025.

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Governor