

## REMOVING LICENSURE IMPEDIMENTS FOR MILITARY SPOUSES BEST PRACTICES

**SUBJECT:** States can modify licensing requirements and processes, which impede military spouses from becoming employed following a military move.

**PRINCIPLES:** States have enacted changes to their licensing statutes that have mitigated the challenges for military spouses by:

- (1) *Modifying license by endorsement requirements* to accommodate limitations in meeting traditional measures of proficiency due to gaps in employment. For example, these alternatives allow spouses to substitute continuing education, volunteer work and part time work for the traditional minimum recent years of experience.
- (2) *Providing temporary licensing* to allow a military spouse to secure employment while completing state requirements that may have been substantially different from what was required by the previous licensing state or while awaiting verification of current license, certification and/or employment history for an endorsement.
- (3) *Expediting procedures for regulatory department or board approval* to provide opportunity for spouses to obtain an endorsed, or temporary license, based on acceptance of the information provided in the application itself, followed by verification.

### EXAMPLES:

- (1) *Modifying license by endorsement requirements:* Colorado HB 1175 (2010)<sup>1</sup> allows applicants the option of showing minimum recent employment in the occupation, *or* fulfilling proficiency requirements in the occupation as determined by each individual board (example is for dental hygienists) and for the director overseeing these boards:

*“The board shall issue a license to an applicant duly licensed as a dental hygienist in another state or territory of the United States who has submitted credentials and qualifications for licensure in Colorado. Such credentials and qualifications shall include: (III) (A) Verification that the applicant has been engaged either in clinical practice or in teaching dental hygiene or dentistry in an accredited program for at least one year during the three years immediately preceding the date of the receipt of the application; or (B) Evidence that the applicant has demonstrated competency as a dental hygienist as determined by the board;”*

*“Unless otherwise prohibited by Title 12, C.R.S., an applicant for certification, registration, or licensure by endorsement may demonstrate competency in a specific occupation or profession as determined by the director in lieu of a requirement that the applicant has worked or practiced in that occupation or profession for a period of time prior to the application for endorsement.”*

- (2) *Providing temporary licenses:* Tennessee HB 968 (2011)<sup>2</sup> mandates expedited endorsement for applicants who hold a valid license from another state, and provides a temporary license as an option in the event the applicant does not meet all Tennessee’s requirements:

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<sup>1</sup> [http://www.state.co.us/gov\\_dir/leg\\_dir/olls/sl2010a/sl\\_46.htm](http://www.state.co.us/gov_dir/leg_dir/olls/sl2010a/sl_46.htm)

<sup>2</sup> <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=HB0968>

*“(1) Notwithstanding any other law to the contrary, each health related board shall establish a procedure to expedite the issuance of a license, certification or permit to perform professional services regulated by each such board to a person:*

*(A) Who is certified or licensed in another state to perform professional services in a state other than Tennessee;*

*(B) Whose spouse is a member of the armed forces of the United States;*

*(C) Whose spouse is the subject of a military transfer to Tennessee; and*

*(D) Who left employment to accompany the person’s spouse to Tennessee.*

*(2) The procedure shall include:*

*(A) Issuing the person a license, certificate or permit, if, in the opinion of the board, the requirements for certification or licensure of such other state are substantially equivalent to that required in this state; or*

*(B) Developing a method to authorize the person to perform professional services regulated by the board in this state by issuing the person a temporary permit for a limited period of time to allow the person to perform professional services while completing any specific requirements that may be required in this state that were not required in the state in which the person was licensed or certified.”*

**(3) Expediting procedures for regulatory department or board approval:** Montana HB 94 (2011)<sup>3</sup> provides the basis for boards to provide expedited endorsement or temporary licenses for applicants, based on their affirmation that their applications are accurate and that they have requested the necessary validating documentation:

*“...The license may be issued until the board receives if the applicant affirms or states in the application that the applicant has requested verification from the state or states in which the person is licensed that the person is currently licensed and is not subject to pending charges or final disciplinary action for unprofessional conduct or impairment. If the board or its screening panel finds reasonable cause to believe that the applicant falsely affirmed or stated that the applicant has requested verification from the other state or states, the board may summarily suspend the license pending further action to discipline or revoke the license.”*

*“...The permit may be issued in the board's discretion if the applicant verifies or states in the application that the applicant has requested verification from the state or states in which the person is licensed that the person is currently licensed and is not subject to pending charges or final disciplinary action for unprofessional conduct or impairment. If the board or its screening panel finds reasonable cause to believe that the applicant falsely affirmed or stated that the applicant has requested verification from the other state or states, the board may summarily suspend the license pending further action to discipline or revoke the license.”*

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<sup>3</sup> <http://data.opi.mt.gov/bills/2011/billhtml/HB0094.htm>