

An Act

ENROLLED SENATE
BILL NO. 670

By: Pugh and Ikley-Freeman of
the Senate

and

McCall of the House

An Act relating to professional and occupational licensure; amending Section 1, Chapter 226, O.S.L. 2012, and Section 8, Chapter 226, O.S.L. 2012 (59 O.S. Supp. 2018, Sections 4100 and 4100.7), which relate to the Post-Military Service Occupation, Education and Credentialing Act; changing name of act; modifying reference; allowing submission of advance license application for certain military persons; directing acceptance of licenses and certifications from other states for certain military persons; requiring issuance of certain licenses and certifications within certain time; stating period of licensure; requiring notice of denial of application; providing for temporary credential under certain condition; providing certain right of appeal; allowing right to obtain and submit documentation for licensure; directing waiver of fees for certain military persons; excepting licensure for certain persons under certain military base regulations; directing promulgation of rules; providing for codification; and providing an effective date.

SUBJECT: Professional and occupational licensure

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 1, Chapter 226, O.S.L. 2012 (59 O.S. Supp. 2018, Section 4100), is amended to read as follows:

Section 4100. This act shall be known and may be cited as the "~~Post~~-Military Service Occupation, Education and Credentialing Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4100.8 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. Every active duty military personnel and their spouse who is licensed or certified in any occupation or profession in another state, upon receiving notice or orders for military transfer or honorable discharge to this state, may in advance of actual transfer or discharge submit a completed application to the appropriate licensing or credentialing agency in this state to request an expedited temporary, reciprocal or comity license or certification for their currently held valid license or certification from another state or territory of the United States so such person may upon entering this state be authorized to continue their licensed or certified occupation or profession without delay.

B. Every administrative body, state agency director or official with authority over any occupational or professional license or certification, and each of the respective examining and licensing boards, agencies and commissions in this state, shall, upon receipt of an active duty military application submitted as authorized in subsection A of this section, and presentation of satisfactory evidence of equivalent education, training and experience on such valid license or certification from another state, accept the valid license or certification and apply all its education, training and experience in the manner most favorable toward satisfying the qualifications for issuance of the requested license or certification in this state, and shall issue the requested Oklahoma license or certification within thirty (30) days provided the license or certification from the other state is found to be in good standing and reasonably equivalent to the requirements of this state.

C. The temporary, reciprocal or comity license or certification issued pursuant to this section shall be valid for the same period

as authorized for full license or certification in this state, unless the person is notified by the credentialing authority that there is cause for a denial of the application or that certain documentation required by this state is lacking or unavailable. In such case, a temporary credential shall be issued to allow the person time to obtain the necessary requirement while continuing to be employed in his or her occupation or profession in this state. Any active duty military applicant receiving a notice of denial of full licensure or certification shall have the right to appeal the denial determination as provided in the Administrative Procedures Act or to obtain and submit the documentation required to complete full license or certificate requirements in this state.

D. Each credentialing authority in this state shall waive the application fee for active duty military personnel and their spouse and shall further waived the license or certificate fees for the first period of issuance for such temporary, reciprocal or comity license or certificate.

E. Any active duty military personnel who pursuant to any federal or military law, rule or regulation is not required to be licensed or credentialed while employed and performing their occupation or profession only on the premises of an assigned military base shall not be required to be licensed or credentialed in this state pursuant to the same law, rule or regulation.

F. Each agency shall promulgate rules to implement the provisions of this section and establish application forms as required.

SECTION 3. AMENDATORY Section 8, Chapter 226, O.S.L. 2012 (59 O.S. Supp. 2018, Section 4100.7), is amended to read as follows:

Section 4100.7. Nothing in the ~~Post~~-Military Service Occupation, Education and Credentialing Act shall be construed to require the issuance of any license or certificate to an applicant who does not otherwise meet the stated eligibility standards, criteria, qualifications or requirements for licensure or certification, nor shall the provisions be construed to automatically allow issuance of any license or certificate without testing or examination, without proper consideration by the

licensing and examination board, or without proper verification that the applicant is not subject to pending criminal charges or disciplinary actions, has not been convicted of any offense prohibiting licensure or certification, and has no other impairment which would prohibit licensure or certification in this state.

SECTION 4. This act shall become effective November 1, 2019.

Passed the Senate the 13th day of March, 2019.

Presiding Officer of the Senate

Passed the House of Representatives the 24th day of April, 2019.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____