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**SECOND SUBSTITUTE HOUSE BILL 2303**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Leavitt, Dufault, MacEwen, Gildon, Kirby, Fey, Morgan, Barkis, Kilduff, Dolan, Ryu, Young, Wylie, Doglio, Volz, and Appleton)

AN ACT Relating to professional licensing requirements for service members and military spouses; amending RCW 18.340.010; adding new sections to chapter 18.340 RCW; adding a new section to chapter 43.24 RCW; adding a new section to chapter 43.22 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  This act may be known and cited as the serve act.

**Sec.**  RCW 18.340.010 and 2011 2nd sp.s. c 5 s 1 are each amended to read as follows:

The lives of military families are dominated by frequent deployments, relocations, and extended periods of single parenthood. ((~~Military~~)) Service members and their spouses are some of the most mobile populations in our country, making the maintenance of professional licenses a significant obstacle. According to the ((~~2010~~)) 2019 defense management data center, there are ((~~thirty-three thousand three hundred eighty active duty and ten thousand eight hundred thirty-seven~~)) more than eighty thousand active duty and reserve service members and nearly forty thousand active duty and reserve military spouses residing in Washington. Military families depend on two incomes and want to achieve their career goals and aspirations. It is the intent of the legislature to recognize the sacrifices made by military families in service to our country and our state and to help alleviate the ((~~hardships~~)) career turmoil military families face due to their highly transient life.

NEW SECTION. **Sec.**  A new section is added to chapter 18.340 RCW to read as follows:

(1) For the purposes of this section:

(a) "Active duty military spouse" means any person currently married to someone who is an active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.

(b) "Authority" means any board, commission, or other authority for issuance of a license, certificate, registration, or permit under this title.

(c) "Provisional license, certificate, registration, or permit" means authorization to perform the full range of activities allowed with a standard license, certificate, registration, or permit for a period of three years, or the duration of a standard license, certificate, registration, or permit if less than three years. A provisional license, certificate, registration, or permit issued by the department of health is valid for one year.

(2) By January 1, 2021, the authority shall establish procedures to issue a provisional license, certificate, registration, or permit to perform professional services regulated by the authority to a member of the armed forces of the United States or an active duty military spouse who is:

(a) Currently holding in good standing a license, certificate, registration, or permit to perform professional services in another state, in the District of Columbia, or issued by an agency, bureau, or department of the United States government;

(b) Stationed, or is the spouse of a member of the armed forces who is stationed, in Washington; and

(c) Unable to engage in the practice of the profession through an interstate compact, reciprocity, or similar agreement.

(3) An application for a provisional license, certificate, registration, or permit must be made in a form and manner as determined by the authority and include:

(a) A copy of the applicant's current license, certificate, registration, or permit from another state, the District of Columbia, or an agency, bureau, or department of the United States government;

(b) A copy of the applicable permanent change-of-station orders;

(c) A statement signed by the applicant under penalty of perjury that he or she meets the qualifications for a provisional license, certificate, registration, or permit and is not subject to any pending investigation, charges, or disciplinary action by the regulatory body of the other jurisdiction or jurisdictions;

(d) An application for a criminal background check, if required for a standard professional license, certificate, registration, or permit for the same profession; and

(e) Proof of national certification or successful completion of a national examination, where applicable.

(4) The authority shall charge a fee for a provisional license, certificate, registration, or permit that is equal to the fee for a standard license, certificate, registration, or permit for the same profession. If a provisional license, certificate, permit, or registration is valid for a shorter time period than a standard license, certificate, permit, or registration, the authority shall prorate the fee accordingly.

(5) The authority must make an eligibility determination within forty-five days of receipt of a complete application for a provisional license, certificate, registration, or permit.

(6) The authority may act to deny or limit a provisional license, certificate, registration, or permit application using the same procedures for a standard license, certificate, registration, or permit for the same profession.

(7) If the authority determines that an applicant for a provisional license, certificate, registration, or permit holds a license from a jurisdiction with substantially equivalent requirements, the authority shall issue a standard license, certificate, registration, or permit.

(8) If a person issued a provisional license, certificate, registration, or permit subsequently meets the requirements for a standard license, certificate, registration, or permit, the authority may issue the person a standard license, certificate, registration, or permit.

(9) A person may not renew a provisional license, certificate, registration, or permit. Prior to expiration, the person must obtain a standard license, certificate, permit, or registration.

(10) The authority may investigate and take disciplinary action against a person or the person's provisional license, certificate, registration, or permit using the same procedures for a standard license, certificate, registration, or permit for the same profession.

(11) If a person with a provisional license, certificate, registration, or permit no longer meets the qualifications under subsection (2) of this section or becomes subject to any pending investigation, charges, or disciplinary action by a regulatory body of another jurisdiction or the license, certification, registration, or permit issued by another jurisdiction is terminated or no longer valid, the person must:

(a) Immediately cease engaging in the practice of the profession in Washington; and

(b) Report to the authority within thirty days the change in qualifications, licensing status, or pending investigation, charges, or disciplinary action.

(12) In addition to the requirements of this section, RCW 18.130.064 applies to a member of the armed forces or an active duty military spouse engaging in the practice of a health profession.

(13) By December 1, 2021, and biennially thereafter, each authority must report to the appropriate committees of the legislature the number and nature of complaints filed, if any, against a member of the armed forces or a military spouse engaging in the practice of a profession under this section and sections 4 and 5 of this act.

NEW SECTION. **Sec.**  A new section is added to chapter 43.24 RCW to read as follows:

(1) For the purposes of this section:

(a) "Active duty military spouse" means any person currently married to someone who is an active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.

(b) "Department" means the department of licensing.

(c) "Provisional license, certificate, registration, or permit" means authorization to perform the full range of activities allowed with a standard license, certificate, registration, or permit for a period of three years, or the duration of a standard license, certificate, registration, or permit if less than three years.

(2) By January 1, 2021, the department shall establish procedures to issue a provisional license, certificate, registration, or permit to perform professional services regulated by the department to a member of the armed forces of the United States or an active duty military spouse who is:

(a) Currently holding in good standing a license, certificate, registration, or permit to perform professional services in another state, in the District of Columbia, or issued by an agency, bureau, or department of the United States government;

(b) Stationed, or is the spouse of a member of the armed forces who is stationed, in Washington; and

(c) Unable to engage in the practice of the profession through an interstate compact, reciprocity, or similar agreement.

(3) An application for a provisional license, certificate, registration, or permit must be made in a form and manner as determined by the department and include:

(a) A copy of the applicant's current license, certificate, registration, or permit from another state, the District of Columbia, or an agency, bureau, or department of the United States government;

(b) A copy of the applicable permanent change-of-station orders;

(c) A statement signed by the applicant under penalty of perjury that he or she meets the qualifications for a provisional license, certificate, registration, or permit and is not subject to any pending investigation, charges, or disciplinary action by the regulatory body of the other jurisdiction or jurisdictions;

(d) An application for a criminal background check, if required for a standard professional license, certificate, registration, or permit for the same profession; and

(e) Proof of national certification or successful completion of a national examination, where applicable.

(4) The department shall charge a fee for a provisional license, certificate, registration, or permit that is equal to the fee for a standard license, certificate, registration, or permit for the same profession. If a provisional license, certificate, permit, or registration is valid for a shorter time period than a standard license, certificate, permit, or registration, the authority shall prorate the fee accordingly.

(5) The department must make an eligibility determination within forty-five days of receipt of a complete application for a provisional license, certificate, registration, or permit.

(6) The department may act to deny or limit a provisional license, certificate, registration, or permit application using the same procedures for a standard license, certificate, registration, or permit for the same profession.

(7) If the department determines that an applicant for a provisional license, certificate, registration, or permit holds a license from a jurisdiction with substantially equivalent requirements, the department shall issue a standard license, certificate, registration, or permit.

(8) If a person issued a provisional license, certificate, registration, or permit subsequently meets the requirements for a standard license, certificate, registration, or permit, the department may issue the person a standard license, certificate, registration, or permit.

(9) A person may not renew a provisional license, certificate, registration, or permit. Prior to expiration, the person must obtain a standard license, certificate, permit, or registration.

(10) The department may investigate and take disciplinary action against a person or the person's provisional license, certificate, registration, or permit using the same procedures for a standard license, certificate, registration, or permit for the same profession.

(11) If a person with a provisional license, certificate, registration, or permit no longer meets the qualifications under subsection (2) of this section or becomes subject to any pending investigation, charges, or disciplinary action by a regulatory body of another jurisdiction or the license, certification, registration, or permit issued by another jurisdiction is terminated or no longer valid, the person must:

(a) Immediately cease engaging in the practice of the profession in Washington; and

(b) Report to the department within thirty days the change in qualifications, licensing status, or pending investigation, charges, or disciplinary action.

NEW SECTION. **Sec.**  A new section is added to chapter 43.22 RCW to read as follows:

(1) For the purposes of this section:

(a) "Active duty military spouse" means any person currently married to someone who is an active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.

(b) "Department" means any board, commission, or other department for issuance of a license, certificate, registration, or permit under this title.

(c) "Provisional license, certificate, registration, or permit" means authorization to perform the full range of activities allowed with a standard license, certificate, registration, or permit for a period of three years, or the duration of a standard license, certificate, registration, or permit if less than three years.

(2) By January 1, 2021, the department shall establish procedures to issue a provisional license, certificate, registration, or permit to perform professional services regulated by the department to a member of the armed forces of the United States or an active duty military spouse who is:

(a) Currently holding in good standing a license, certificate, registration, or permit to perform professional services in another state, in the District of Columbia, or issued by an agency, bureau, or department of the United States government;

(b) Stationed, or is the spouse of a member of the armed forces who is stationed, in Washington; and

(c) Unable to engage in the practice of the profession through an interstate compact, reciprocity, or similar agreement.

(3) An application for a provisional license, certificate, registration, or permit must be made in a form and manner as determined by the department and include:

(a) A copy of the applicant's current license, certificate, registration, or permit from another state, the District of Columbia, or an agency, bureau, or department of the United States government;

(b) A copy of the applicable permanent change-of-station orders;

(c) A statement signed by the applicant under penalty of perjury that he or she meets the qualifications for a provisional license, certificate, registration, or permit and is not subject to any pending investigation, charges, or disciplinary action by the regulatory body of the other jurisdiction or jurisdictions;

(d) An application for a criminal background check, if required for a standard professional license, certificate, registration, or permit for the same profession; and

(e) Proof of national certification or successful completion of a national examination, where applicable.

(4) The department shall charge a fee for a provisional license, certificate, registration, or permit that is equal to the fee for a standard license, certificate, registration, or permit for the same profession. If a provisional license, certificate, permit, or registration is valid for a shorter time period than a standard license, certificate, permit, or registration, the authority shall prorate the fee accordingly.

(5) The department must make an eligibility determination within forty-five days of receipt of a complete application for a provisional license, certificate, registration, or permit.

(6) The department may act to deny or limit a provisional license, certificate, registration, or permit application using the same procedures for a standard license, certificate, registration, or permit for the same profession.

(7) If the department determines that an applicant for a provisional license, certificate, registration, or permit holds a license from a jurisdiction with substantially equivalent requirements, the department shall issue a standard license, certificate, registration, or permit.

(8) If a person issued a provisional license, certificate, registration, or permit subsequently meets the requirements for a standard license, certificate, registration, or permit, the department may issue the person a standard license, certificate, registration, or permit.

(9) A person may not renew a provisional license, certificate, registration, or permit. Prior to expiration, the person must obtain a standard license, certificate, permit, or registration.

(10) The department may investigate and take disciplinary action against a person or the person's provisional license, certificate, registration, or permit using the same procedures for a standard license, certificate, registration, or permit for the same profession.

(11) If a person with a provisional license, certificate, registration, or permit no longer meets the qualifications under subsection (2) of this section or becomes subject to any pending investigation, charges, or disciplinary action by a regulatory body of another jurisdiction or the license, certification, registration, or permit issued by another jurisdiction is terminated or no longer valid, the person must:

(a) Immediately cease engaging in the practice of the profession in Washington; and

(b) Report to the department within thirty days the change in qualifications, licensing status, or pending investigation, charges, or disciplinary action.

NEW SECTION. **Sec.**  A new section is added to chapter 18.340 RCW to read as follows:

The employment security department, the department of health, the department of labor and industries, the department of licensing, and the department of veterans affairs shall each maintain a military assistance web page containing the department's rules, regulations, and procedures related to the professional licensing of veterans, members of the armed services, and military spouses and links to the military assistance web pages of other state agencies. A direct link to the agency's military assistance web page must be displayed on the agency's home page.

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