
**Housing, Community Development &
Veterans Committee**

HB 2303

Brief Description: Concerning professional licensing requirements for service members and military spouses.

Sponsors: Representatives Leavitt, Dufault, MacEwen, Gildon, Kirby, Fey, Morgan, Barkis, Kilduff, Dolan, Ryu, Young, Wylie, Doglio, Volz and Appleton.

Brief Summary of Bill

- Allows a service member or active duty military spouse to practice any profession regulated under Title 18 RCW, by the Department of Licensing, or by the Department of Labor and Industries if licensed and in good standing in another state.

Hearing Date: 1/21/20

Staff: Serena Dolly (786-7150).

Background:

Professional Licensing.

Washington State regulates a variety of businesses and professions. A business or profession may be regulated directly by an agency or under a board, commission, or other authority that may have sole or shared jurisdiction. Each regulated business and profession has a separate set of laws. Many professions have provisions for some form of reciprocity for licensees from other states.

Requirements for a professional license, certificate, registration, or permit vary considerably. Some professions may require:

- college level coursework;
- experience;
- an examination;

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- some type of background check;
- a surety bond, insurance, or other minimum financial standards;
- minimum safety standards;
- continuing education for licensees; or
- duties of care for clients.

Professions in Title 18 RCW.

Title 18 RCW includes the regulation of a broad array of businesses and professions. The following authorities issue licenses, certificates, registrations, or permits to individuals under Title 18 RCW:

- The Department of Health (DOH) directly regulates or collaborates with a board or commission to oversee health professions, including physicians, nurses, and dentists.
- The Department of Licensing (DOL) directly regulates or collaborates with a board or commission to oversee a wide variety of professions, including architects, cosmetologists, and funeral directors.
- The Department of Labor and Industries (LNI) regulates contractors and plumbers.
- The Board of Accountancy oversees certified public accountants.
- The Department of Ecology regulates persons licensed to dig wells.
- The Department of Financial Institutions regulates escrow agents.
- The State Director of Fire Protection, an appointee of the Chief of the Washington State Patrol, oversees persons licensed or certified to perform services related to fire protection sprinkler systems, including fire protection sprinkling fitters.
- County auditors register process servers.

Professions Outside of Title 18 RCW.

Additional professions are regulated outside of Title 18 RCW. This includes a number of professions regulated by the DOL including:

- notary publics;
- driver training instructors;
- timeshare salespersons; and
- a number of categories related to professional athletics.

The LNI also regulates professions outside of Title 18 RCW. These include:

- electricians;
- elevator mechanics and contractors; and
- boiler pressure/vessel commissioning.

Other authorities also regulate professions outside of Title 18 RCW including:

- the Washington Professional Educator Standards Board for certification of teachers in this state;
- the Washington State Bar Association for attorneys and legal technicians; and
- the Department of Children, Youth, and Families for child care providers.

Expedited Professional Licensing for Military Spouses.

A licensing authority that issues certain professional licenses, certificates, registrations, or permits must expedite the right of qualified military spouses to provide professional services. A qualified military spouse is a person who:

- is certified or licensed to perform professional services in another state;

- has a spouse that is transferred by the military to this state; and
- left employment in the other state to join their spouse in this state.

The procedures must include a process for issuing the person a license, certificate, registration, or permit, if, in the opinion of the authority, the requirements for licensure, certification, registration, or obtaining a permit of the other state are substantially equivalent to the requirements of this state.

Each licensing authority must develop a method to authorize a person who meets the established criteria to receive a temporary license. The temporary license allows the person to perform services regulated by the authority while completing any specific requirements that may be required in this state that were not required in the other state, unless the authority finds that the requirements of the other state are substantially unequal to the standards in this state.

Annual Reporting.

The DOL and the DOH are required to report on their efforts to implement legislation modifying professional licensing procedures for military spouses and veterans:

- in a biennial report to the Legislature;
- in an annual report to the Military Transition Council; and
- annually before the Joint Committee on Veterans and Military Affairs.

Summary of Bill:

A service member or active duty military spouse may engage in the practice of a profession regulated under Title 18 RCW, by the DOL, or by the LNI without obtaining a Washington state certificate, registration, license, or permit if the service member or military spouse is:

- stationed in Washington;
- certified, registered, or licensed, or has a permit to perform such professional services in another state;
- in good standing in the state of licensure; and
- not subject to any pending investigation, charges, or disciplinary action by the regulatory body of another state.

By December 1, 2021, and biennially thereafter, the DOL, the LNI, the DOH, and any other authority licensing a profession under Title 18 RCW must report to the appropriate legislative committees on the number and nature of complaints filed, if any, against a service member or military spouse practicing under this exemption.

Appropriation: None.

Fiscal Note: Requested on January 15, 2020.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.