

WSR 23-17-148

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed August 22, 2023, 11:50 a.m., effective September 22, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The department is changing requirements for expedited licensing and timelines for temporary licensing for military spouses. This change aligns with E2SHB 1009, passed during the 2023 legislative session.

Citation of Rules Affected by this Order: Amending WAC 308-09-015 Military spouse requesting expedited processing, and 308-09-020 Military spouse licensing—Equivalency to Washington standards and temporary licensing.

Statutory Authority for Adoption: E2SHB 1009; RCW 18.340.020 Expedition of professional license, certification, registration, or permit, and 46.01.110.

Adopted under notice filed as WSR 23-13-120 on June 21, 2023.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 2, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Date Adopted: August 22, 2023.

Ellis Starrett
Rules and Policy Manager

OTS-4693.1

AMENDATORY SECTION (Amending WSR 20-13-048, filed 6/11/20, effective 7/12/20)

WAC 308-09-015 Military spouse requesting expedited processing.

(1) A military spouse may request expedited processing when the military spouse:

(a) Holds an active license in good standing issued by another jurisdiction in which the other states standards are equal to or greater than Washington licensing standards;

(b) Is moving to Washington as a result of their spouse's (~~permanent change of duty station based on military orders; and~~

~~(c) Is leaving employment in another state to accompany their spouse to Washington)~~ military transfer to Washington.

(2) To request expedited processing, the military spouse applicant must:

(a) Submit the appropriate license application indicating the applicant is a military spouse, ~~((with)) fingerprints, and required documentation associated with criminal background check, and the appropriate fee(s);~~

(b) Submit documentation that shows the applicant had an applicable license in good standing issued by another jurisdiction in which the other states standards are equal to or greater than Washington licensing standards and that shows the applicant is not subject to any disciplinary action by the licensing authority of that jurisdiction;

~~(c) ((Upon request, submit any of the following:~~

~~(i) A copy of the military service member's service orders;~~

~~(ii) A letter from the military service member's commanding officer explaining the military service member's transfer of duty stations;~~

~~(iii) A copy of the DD Form 1172-2 DEERS Enrollment;~~

~~(iv) Other supporting U.S. Department of Defense or Department of Veterans Affairs documentation.~~

~~(d) Upon request, submit a copy of the marriage certificate or evidence of the registered domestic partnership with the military service member.) Affirm that the applicant's spouse is a military service member transferred to Washington state and meets all the requirements for expedited licensure.~~

AMENDATORY SECTION (Amending WSR 20-13-048, filed 6/11/20, effective 7/12/20)

WAC 308-09-020 Military spouse licensing—Equivalency to Washington standards and temporary licensing. (1) The licensing authority must process a request for temporary license ~~((as soon as practical))~~ within 30 days after receipt of a completed application. A completed application means that the authority has received all supporting materials, related application fees, copy of the certificate issued by the other state or jurisdiction, fingerprints, and required documentation associated with a criminal background check. The licensing authority must compare the profession or occupation requirements of the jurisdiction where the applicant held a license to the requirements associated with the most similar license issued by the licensing authority in Washington. The licensing authority will determine whether the requirements of the jurisdiction where the applicant holds a license meet or are substantially equivalent to the requirements for the requested profession or occupation in Washington.

(2) If the licensing authority determines the Washington requirements are substantially equivalent and have been met, and that the applicant is otherwise eligible for the requested license, the licensing authority may issue a standard license.

(3) If the licensing authority determines the training and practice standards of the state where the applicant holds a license are substantially equivalent and the applicant is otherwise eligible for the requested license, the licensing authority may issue a temporary license of no less than 180 days to allow the applicant time to complete additional requirements not related to training or practice standards that are necessary to qualify for a standard license in Washington.

(4) A temporary license issued under these rules becomes null and void when any of the following occur:

- (a) A standard license is issued;
- (b) A denial of the standard license application becomes final;
- (c) The temporary license expires.

(5) Prior to the expiration date of the temporary license the temporary license holder may ask the licensing authority in writing to extend the expiration date. The licensing authority will consider extension of the expiration date based on the temporary license holder's need and documented progress toward meeting standard license requirements.