



HOUSE BILL 799: Licensure by Endorsement/Military/Spouses

2011-2012 General Assembly

Committee:	Senate Ref to Commerce. If fav, re-ref to Finance	Date:	June 7, 2012
Introduced by:	Reps. Martin, Killian	Prepared by:	Wendy Graf Ray
Analysis of:	Second Edition		Committee Counsel

SUMMARY: *House Bill 799 would allow military-trained applicants who have been awarded a military occupational specialty and military-spouse applicants who are licensed in another jurisdiction to receive occupational licenses in this State. The applicants would have to meet requirements, either in the military or in another jurisdiction, that are substantially equivalent to or exceed the State requirements for licensure. State occupational licensing boards would also be able to issue temporary practice permits to these applicants until a license is granted or a notice to deny a license is issued.*

CURRENT LAW: An "occupational licensing board" means any board established for the primary purpose of regulating the entry of persons into a particular profession and the conduct of persons within the profession that is authorized to issue licenses. Occupational licensing board does not include State agencies staffed by full-time State employees who issue licenses as part of their regular duties.

BILL ANALYSIS: House Bill 799 would require occupational licensing boards to issue occupational licenses to military-trained applicants and military-spouse applicants if the following requirements are met:

- A military-trained applicant must:
 - Complete a military program of training.
 - Be awarded a military occupational specialty.
 - Perform in that specialty at a level that is substantially equivalent to or exceeds the requirements for licensure.
 - Engage in the active practice of the occupation in the discharge of official duties for at least two of the five years preceding the date of the application.
 - Not commit any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license.
 - Pay any fees required by the occupational licensing board.
- A military-spouse applicant must:
 - Hold a current license from another jurisdiction that has requirements for licensure substantially equivalent to or exceed the requirements for licensure.
 - Demonstrate competency in the occupation through methods as determined by the occupational licensing board, such as having completed continuing education units or having had recent experience for at least two of the five years preceding the date of the application under this section.
 - Not commit any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license.

House Bill 799

Page 2

- Be in good standing and not be disciplined by the agency that had jurisdiction to issue the license.
- Pay any fees required by the occupational licensing board.

Occupational licensing boards would also be authorized to issue temporary practice permits to applicants until a license is granted or a notice to deny a license is issued.

The bill would not apply to the practice of law. The North Carolina Medical Board would not be considered an occupational licensing board under the bill, but the State Board of Education would be considered an occupational licensing board when issuing teacher licenses.

The bill would also direct the Legislative Research Commission to study the issue of allowing licensure by the North Carolina Medical Board in this manner.

EFFECTIVE DATE: The act would be effective when it becomes law. Each occupational licensing board would be required to implement the new statute within one year from the effective date.

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