



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
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Senator Brian J. Feldman
Chair, Senate Committee on Education, Energy & The Environment
Miller Senate Office Building, 2 West Wing
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Remarks of
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Support of: SB 3 – AN ACT concerning Health Occupations – Service Members, Veterans, and Military Spouses - Temporary Licensure, Certification, Registration, and Permitting

Testimony

The Department of Defense is grateful for the opportunity to support policy changes proposed in Maryland Senate Bill 3, which addresses licensing issues affecting our service members and their families. This legislation would require health occupations boards to issue a temporary expedited license, certificate, or registration to a service member, veteran, or military spouse who meet certain requirements, within fifteen days.

My name is Christopher Arnold. I am the Mid-Atlantic region liaison at the United States Department of Defense-State Liaison Office, operating under the direction of Under Secretary of Defense for Personnel and Readiness. We represent the Department and establish relationships with state leaders across the country who are concerned for troops and their families' welfare by harmonizing state and federal law and regulation on policy problems of national significance. These are identified by the Office of the Secretary of Defense, the military departments, and the National Guard Bureau as areas where states can play a crucial role.

As part of these efforts, Maryland worked with the Defense-State Liaison Office to enact Chapters 154 and 155 of 2013, the "Veterans Full Employment Act of 2013," regarding Service member licensure and credit for military training and education as well as expediting military spouse license applications.¹ However, these methods have proven insufficient to address the underlying concerns of military spouses.²

The Department encourages States to engage in immediate actions to fully implement military spouse licensure laws and make them accessible; near-term actions to at least attain a baseline of

¹ Fiscal and Policy Note (Senate Bill 3). Department of Legislative Services, Maryland General Assembly. 2024 Session. https://mgaleg.maryland.gov/2024RS/fnotes/bil_0003/sb0003.pdf

² Clearinghouse for Military Families at Pennsylvania State University. *Military Spouse License Portability Assessment (Maryland)*. January 2022. https://militaryfamilies.psu.edu/wp-content/uploads/2021/11/mslp/state-findings/mslp_maryland.pdf

getting military spouses a license in 30 days based on minimal documentation, and removing substantially equivalent language; and long-term solutions for reciprocity through compacts.

In January of 2023, the President signed into law an amendment to Title VII of the Service Member's Civil Relief Act, which required that when "In any case in which a servicemember or the spouse of a servicemember has a covered license and such servicemember or spouse relocates his or her residency because of military orders for military service to a location that is not in the jurisdiction of the licensing authority that issued the covered license, such covered license shall be considered valid at a similar scope of practice and in the discipline applied for in the jurisdiction of such new residency for the duration of such military orders."³

While Maryland's licensing agencies are now required to recognize out-of-state licenses as valid for the duration of a military spouse's residency due to military orders, Maryland employers are not.⁴ States have now begun addressing provisions needed to implement these changes to ensure issuance of a state license which employers may require, within the Department's baseline goal of 30 days, while ensuring full compliance with federal law.⁵

Senate Bill 3 achieves these aims, echoing the historic 2020 military spouse legislation by Senate President Ferguson which eased application requirements for a service member, veteran, or military spouse who applies for an occupational or professional license. The President's bill, Chap 177, enacted revisions to reciprocity requirements for occupations and professions regulated by the Division of Occupational and Professional Licensing, removing the requirement for a substantial equivalency determination to guarantee license issuance within 30 days, with minimal documentation.

In a letter to former Governor Hogan accompanying the Secretary of Defense's 2019 report on military spouse licensure, the Department noted that "*Current law requires boards to evaluate the substantial equivalency of the applicant's application prior to issuing the temporary license, which likely requires the verifying documentation for the review. Limiting this requirement to issuance of the permanent license, or stipulating that the boards perform their initial due diligence using an application, and an affidavit, would limit the time and effort required of the military spouse applicant.*"⁶ While Chapter 177 addressed such recommendation, it did not apply to the health occupations. Senate Bill 3 makes similar improvements for occupations and professions governed by the health occupational boards.

Licensure issues for both our transitioning military members and their spouses have been a priority for the Department for several years. The Department has conducted extensive study of

³ Pub. L. No. 117-333.

⁴ Uniform Law Commission. *Recommendation of the Study Committee on Military Spouse Occupational Licensing*. October 2023.

⁵ Uniform Law Commission. *Occupational Licenses of Servicemembers and Military Spouses Committee*. January 2024. <https://www.uniformlaws.org/committees/community-home?CommunityKey=ba1ecc93-efe3-418d-95d5-018d1d2abaf8>

⁶ Department of Defense. *Military Spouse Licensure: State Best Practices and Strategies for Achieving Reciprocity*. November 2019. <https://download.militaryonesource.mil/12038/MOS/Reports/military-spouse-licensure-report-2019.pdf>

licensing outcomes in Maryland and has presented testimony at various hearings of the General Assembly within the past three years, from service members and spouse physicians and nurses who experienced licensing delays in excess of nine months.⁷

The Department contracted with the Center for Research and Outreach (REACH) at the University of Minnesota, through the U.S. Department of Agriculture Cooperative Research, Education and Extension Service, to evaluate the outcome of DoD's 2011 – 2016 efforts to improve license reciprocity for service members and military spouses. The Center for REACH conducted a 50-State review of the laws enacted and an assessment of the approach taken by six occupational boards in each State to implement these laws.⁸

Recommendations for Maryland included passage of “*legislation that provides support for temporary licenses for military spouses licensed in another state as most boards do not offer a temporary license option for spouses.*”⁹

The Military Spouse License Portability Assessment was launched by the Clearinghouse for Military Family Readiness at Pennsylvania State University in 2021 to further inform the Department regarding amount of time it takes military spouses to obtain an occupational license when they have an inter-state relocation due to a Permanent Change of Station.¹⁰

Only one of the three Maryland health boards examined met the Department's baseline for military spouses to begin working within thirty days, and one board took over thirty days to process a license.¹¹

Under federal law, the military Departments are required to produce annual strategic basing scorecards, evaluating quality-of-life factors such as spouse licensure.¹² The Department of the Air Force evaluated Maryland “Amber” for seven of the nine occupations considered on its most recent assessment of the availability of license reciprocity.¹³

⁷ Joint Base Andrews Testimony for Maryland Bill SB 230. February 2022.

https://mgaleg.maryland.gov/cmte_testimony/2022/che/1tj36TpAcvxySkDMCXa7yPRMScx5UNA5U.pdf

⁸ Six occupations reviewed: cosmetology, dental hygiene, massage therapy, mental health counseling, occupational therapy, and real estate.

⁹ Lynne M. Borden, PhD, Et al, “Military Spouse Licensure Portability Examination,” Center for Research and Outreach, University of Minnesota, <https://reachmilitaryfamilies.umn.edu/research/document/13865>

¹⁰ “Military Spouse License Portability Assessment.” Clearinghouse for Military Family Readiness.

<https://militaryfamilies.psu.edu/mslp/>

¹¹ “Maryland.” Clearinghouse for Military Family Readiness. https://militaryfamilies.psu.edu/wp-content/uploads/2021/11/mslp/state-findings/mslp_maryland.pdf

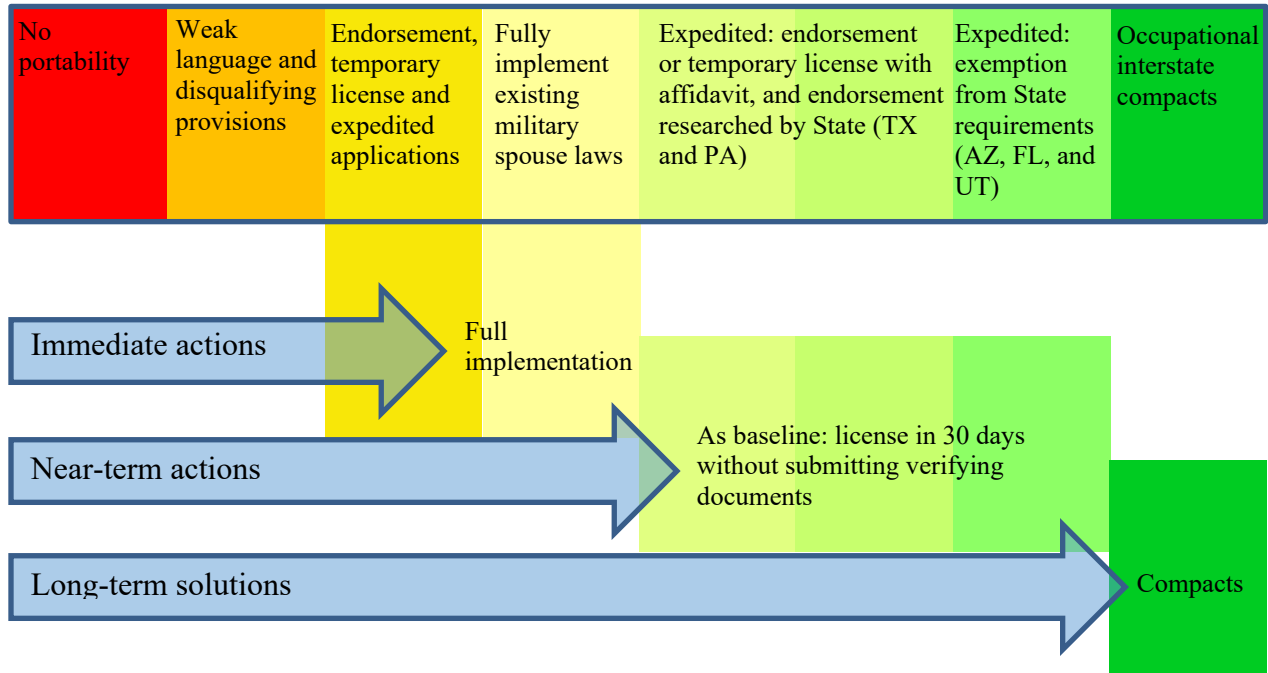
¹² Pub. L. 116–283, div. B, title XXVIII, §2883, Jan. 1, 2021, 134 Stat. 4370, provided that the Department and each of the military services to produce annual basing decision scorecards at the state and installation level considering military family readiness issues, including interstate portability of licensure credentials.

The secretaries must consider “*whether the State in which an installation subject to a basing decision is or will be located ... has entered into reciprocity agreements to recognize and accept professional and occupational licensure and certification credentials granted by or in other States or allows for the transfer of such licenses and certifications granted by or in other States.*” (10 U.S. Code § 1781b)

¹³ Support of Military Families 2021. Department of the Air Force.

https://www.af.mil/Portals/1/documents/2021SAF/09_Sept/External_CASH_single_map_file_v4.2.pdf

Understanding that military spouses need assistance now, and that many States have already committed to a variety of approaches, the Department advocates that States should pursue multiple approaches to reciprocity simultaneously. Available alternatives can be categorized as being more immediately attainable, achievable within the near-term, or obtainable in the long-term:



How fast these actions and solutions can be approved and implemented is up to the States. The Department’s current evaluation of states, validated through the 2021 study conducted by Penn State University, indicates approximately 60 percent of states have achieved DoD criteria.¹⁴

In closing, we are grateful for the tremendous efforts that Maryland has historically made to support our uniformed service members and their families. We appreciate the opportunity to support the passage of the policies reflected in Senate Bill 3 and are especially grateful to Senator Jackson for introducing this important piece of legislation.

As always, as liaison to the Mid-Atlantic region, I stand ready to answer whatever questions you may have.

Yours etc.,

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 Defense-State Liaison Office

¹⁴ See *supra* at 7.