



MARYLAND MILITARY COALITION

Serving Veterans through Legislative Advocacy

January 30, 2024

The Honorable Pamela Beidle
Chair, Senate Finance Committee
3 East, Miller Senate Office
Building 11 Bladen Street
Annapolis, MD 21401

SUBJECT: Request for Favorable Report with Amendment – SB003, Health Occupations - Service Members, Veterans, and Military Spouses - Temporary Licensure, Certification, Registration, and Permitting

Dear Chair Beidle and Members of the Senate Finance Committee:

On behalf of the Maryland Military Coalition, I am writing in support of SB 003, Temporary Licensure for Health Occupations. For the record, my name is CAPT(R) Lynn Nash. I am a nurse and the Communications Director for the Coalition. I started my uniformed services career as a military spouse, and then went on to serve for over 30 years on active duty in both the U.S. Army and Public Health Service.

As an expert, I would like to provide background on this bill.

- SB 003, creates a temporary, expedited licensure process for service members, veterans, or military spouses by utilizing a check-off box prominently displayed on the application.
- Each service member, veteran or military spouse will be assigned an advisor who will assist in the application process.
- The application will be expedited, and when the applicant meets the requirements for a license, certificate or registration, the board will issue it **within 15 business days**.
- And, the board is required beginning January 1, 2026, to report to the General Assembly on the processing of applications from service members, military spouses, and veterans for the immediately preceding 12-month period.

- Maryland has a **duty to protect** those who receive care. It does this through licensing.
- [Licensing](#) is the process to grant permission to an individual to engage in practice after determining that the applicant has attained the **competency necessary to perform a unique scope of practice**.
- According to the [Goldwater Institute](#), the average military family moves every 2-3 years. For military spouses, these frequent relocations mean major disruptions in their careers.
- The [Chamber of Commerce](#) reports that **67% of military spouses had to quit a job because their spouse received change-of-station orders**.

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SB 003 - Service Members, Veterans, and Military Spouses - Temporary Licensure

- The [Institute for Veterans and Military Families at Syracuse University](#) found that **50% of military spouses that work in fields that require occupational licenses.**
- In their report “Supporting our Military Families: Best Practices for Streamlining Occupational Licenses”, the Department of Labor and Defense estimate that unemployment rates for military spouse are **3 to 6 times greater than the national unemployment rate**, even though they **often have more experience and education.**
- To be eligible for employment, [military spouses in professions that require a license must navigate laws, policies, and regulations unique to each state.](#)
- Applying for a new license every time that you relocate, is a **burdensome, expensive process.**
- **In the health occupations**, because there are 50 states, the District of Columbia and four territories, **EACH of the 55 localities have THEIR OWN, unique Practice Act** which govern what a person can do and **EACH has DIFFERENT licensing process.**
- Navigating the [55 sets of requirements, rules, and fees](#), is a **SIGNIFICANT** challenge **especially as all are ALREADY LICENSED and in GOOD STANDING in another state.**
- As a result, the [Goldwater Institute](#) found that re-licensure hits military families who relocate so frequently **the hardest, ESPECIALLY HERE IN HIGH-COST-OF-LIVING MARYLAND**, where often both spouses need to work.
- The Department of Defense sees **licensure** as a **MAJOR issue** that negatively influences reenlistment decisions and the military's ability to recruit and retain service members. That is why [Defense has supported similar legislation for over 16 years](#) because they see the portability of licensure as a **readiness issue.**
- Every time a service family moves, **the spouse often spends thousands of hours (and \$\$\$) to continue their career.**
- To apply for a license, the service member or spouse must:
 - Have a **valid license in another state that they have held for at least 1 year;**
 - Provide proof that EACH license held is valid, in good standing and has substantially similar qualifications;
 - **Remain in good standing** with the licensing authority that issued the previous license, and with every other licensing authority that has issued a license with a similar scope of practice to that person; **good standing = no complaints; and being active within 2 prior years;**
 - Provide a copy of the military orders to the new jurisdiction's licensing authority;
 - Complete an application and provide fingerprints and photos—this has an additional cost;
 - Submit to a national criminal history records check;
 - Agree to abide by the rules of the licensing authority in the new jurisdiction in terms of standards of practice, discipline and meeting any continuing education requirements
 - And, provide proof that they have submitted a complete application and paid all fees.
- Validation of the documentation **can be accomplished in real time, at no cost, over secure connections.**
- Yet, Professional Boards cannot process licensure request in a timely manner. Our own [Maryland Board of Nursing website](#) states: the **“Board of Nursing continues to experience delays in processing initial and renewal applications for licensure and certification due to information technology limitations, numerous vacant full-time positions, and decreased operational resources”.**
- Maryland is experiencing **a critical shortage across the spectrum of health occupations;** the two areas are in **nursing and behavioral health**

SB 003 - Service Members, Veterans, and Military Spouses - Temporary Licensure

- As I write this, we continue to be in the middle of respiratory virus season. Of the 19 Counties and the City of Baltimore, **12 of 19 counties have hospital bed occupancy rates that are above 90%; three at AT CAPACITY**; two counties have fewer than 60 beds total; and five have fewer than 100 beds.
- Often, it's not a shortage of beds geographically, but rather, **a function of short staffing.**

SB 003 mitigates these licensure problems by allowing for a temporary, expedited licensure process, something that Maryland gravely needs. This is **DIFFERENT** than a recently enacted policy of providing service members and military spouses with a letter of endorsement of their out-of-state license. When viewed by certifying agencies, such as the Joint Commission on Accreditation of Healthcare Organizations, **a letter of endorsement does not equate to a license in that state.**

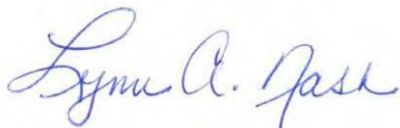
However, **the Coalition asks for three amendments.**

- First, remove the one-year application restriction for Veterans, especially if you want to improve the number of available practitioners. Last year I applied to re-instate my Maryland license, and it took me 140 days. I left service in 2019, which means that this legislation excludes many prior service veterans like me.
- Second, (d) (2). While the definition of service members is amended to include the Uniformed Services as defined by 10 U.S.C. § 101, the definition goes further to define reservists as a component of the **armed forces**. This excludes the five members of the U.S. Public Health Service's Ready Reserve. Please change this definition to "the reserve component of the Uniformed Services".
- And finally, that you **require the establishment of same day, walk-through, temporary licensing, like five other states** (Arizona, Idaho, Louisiana, Missouri and South Carolina).

The Maryland Military Coalition, is a voluntary, non-partisan organization representing 21 veteran service organizations who, in turn, serve over 150,000 Maryland uniformed services men, women and their families. The Coalition ***strongly supports*** SB 003 and asks for ***your favorable report with amendments.***

Thank you to Senator Jackson for sponsoring this important legislation and for amending the language in this year's bill to the more inclusive term of "uniformed service". Temporary licensure is one of our top 4 issues. We appreciate his leadership in this critical area and look forward to working with him on this issue. **We ask that you review the attached issue paper prior to your deliberation.**

Respectfully,



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CAPT (R), U.S. Public Health Service
Communications Director
Maryland Military Coalition

Member Organizations, Maryland Military Coalition

James P. Monahan
Air Force Sergeants Association

Steve P. May
American Military Society

Elwood R. Asphal Gray
American Minority Veterans Research Project

W. W. W.
Association of the United States Navy

Lynn A. Gask
Commissioned Officers Association of the
US Public Health Service

Wilbur B. Fisher
Disabled American Veterans

Seldon H. Freedy
Distinguished Flying Cross Association

Phyllis J. Collins
Fleet Reserve Association

Seldon H. Freedy
Jewish War Veterans of the USA

Steve L. Brooker
Maryland Air National Guard Retirees'
Association

Emmett R. Robert
Maryland Veterans Chamber of Commerce

Robert F. Winton
Military Officers Association of America

Charles E. Spahr
Military Order of the Purple Heart

E. J.
Montford Point Marines of America

M. L. Meese
National Association for Black Veterans

Michael P. Hays
Naval Enlisted Reserve Association

Christian Andreasen
NOAA Association of Commissioned Officers

John S.
Reserve Organization of America

Catherine L. McGraw
Society of Military Widows

E. J.
National Active and Retired Federal Employees
Veterans Affairs Directorate, NARFE MD

M. Blackwell
Veterans of Foreign Wars



Expedited Professional Licensure and Certification for Active Duty/Spouses/Veterans

- Maryland has a duty to protect those who receive services. It does this through licensing.
- **The Maryland Board of Nursing continues to experience delays in processing initial and renewal applications for licensure and certification due to information technology limitations, numerous vacant full-time positions, and decreased operational resources¹.**
- According to the 2021 Department of Defense Survey of Active-Duty Spouses²
 - 48% of respondents stated that finding employment was one of the most critical problems they experienced during PCS moves.
 - Uniformed Service spouses specifically reported difficulty transferring their professional licenses or certificates from one location to another, which often hinders their ability to find jobs in the new locations.
 - **the unemployment rate for uniformed spouses was 22% and that unemployed spouses actively seeking work spent an average of 19 weeks looking for employment.**
- The Department of Defense has supported similar legislation for over 16 years because they see the portability of licensure as a **readiness issue**.
- The President signed the Veterans Auto and Education Improvement Act of 2022 (HR7939), into federal law on January 5, 2023³. Section 705A of the Act, “Portability of Professional Licenses of Servicemembers and Their Spouses” addresses “covered licenses” and states that if a servicemember or spouse relocates his or her residency **because of military orders** for duty 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”. The law⁴:
 - Amends Title VII of the Servicemembers Civil Relief Act (50 U.S.C. 4021 et seq.)
 - **Applies licensing reciprocity between states to all professions except the practice of law**
 - The spouse/service member must:
 - ✓ Provide a copy of the orders to the new jurisdiction’s licensing authority;

¹ Maryland Board of Nursing. Retrieved from <https://mbon.maryland.gov/Pages/default.aspx>

² 2021 [DoD Survey of Active-Duty Spouses](#)

³ White House press release, January 5, 2023. Retrieved from <https://www.whitehouse.gov/briefing-room/legislation/2023/01/05/press-release-bills-signed-h-r-680-h-r-897-h-r-1082-h-r-1154-h-r-1917-h-r-7939-s-450-s-989-s-1294-s-1402-s-1541-s-1942-s-2333-s-2834-s-3168-s-3308-s-3405-s-35/>

⁴ HR7939, Sec. 705A Portability of Professional Licenses of Servicemembers and Their Spouses. Retrieved from <https://www.congress.gov/bill/117th-congress/house-bill/7939/text#toc-H2476EF49A12E4D2CA12A1A8F95F96E38>

Maryland Military Coalition – 2024 Issue Papers – Expedited Licensure

- ✓ Remain in good standing with the licensing authority that issued the previous license, and with every other licensing authority that has issued a license with a similar scope of practice to that person; good standing = no complaints; active within 2 prior years
 - ✓ Abide by the rules of the licensing authority in the new jurisdiction in terms of standards of practice, discipline and meeting any continuing education requirements
 - ✓ Submits to the authority of the licensing authority in the new jurisdiction for the purposes of standards of practice, discipline, and fulfillment of any continuing education requirements.
 - ✓ **NEW** language - If a licensure compact is in place, it takes precedence. 39 states and the Virgin Islands recognize nursing compact licenses. Other occupations have similar rates.
- July 13, 2023, the Assistant Attorney General of the Department of Justice, Civil Rights Division, sent a Notification Letter to State Licensing Authorities, to advise them of this requirement⁵.
 - The first test case of the new law was filed in Texas in July, by an Air Force spouse, a school counselor, who was denied licensure although she was already licensed in two other states⁶. However, the decision to deny her licensure was reversed on appeal⁷. No active-duty spouse should have to go through this level of effort, simply to work—especially as a school counselor.

The Maryland Military Coalition ***strongly supports expedited professional licensure and certification for Active Duty, Active-Duty Spouses and Veterans.***

⁵ [Department of Justice](#)

⁶ ["DOJ tells Texas to 'Stop Messin' with Military Spouse Job Licenses"](#)

⁷ [Final Judgement Hannah Magee Portee – Mike Morath \(W.D. Tex.\)](#)