

HOUSE BILL 112

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(PRE-FILED)

2lr0456
CF 2lr1601

By: **Delegate Crosby**

Requested: September 10, 2021

Introduced and read first time: January 12, 2022

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Service Members, Veterans, and Military Spouses –**
3 **Temporary Licensure, Certification, Registration, and Permitting**

4 FOR the purpose of requiring health occupations boards to issue a temporary license,
5 certificate, registration, or permit to a service member, veteran, or military spouse
6 who meets certain requirements; prohibiting a health occupations board from issuing
7 a certain temporary license, certificate, registration, or permit if the issuance would
8 pose a risk to public health, welfare, or safety; and generally relating to temporary
9 health occupational licensure, certification, registration, and permitting
10 requirements for service members, veterans, and military spouses.

11 BY repealing and reenacting, with amendments,
12 Article – Health Occupations
13 Section 1–701
14 Annotated Code of Maryland
15 (2021 Replacement Volume)

16 BY adding to
17 Article – Health Occupations
18 Section 1–702.1 and 1–702.2
19 Annotated Code of Maryland
20 (2021 Replacement Volume)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
22 That the Laws of Maryland read as follows:

23 **Article – Health Occupations**

24 1–701.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this subtitle the following words have the meanings indicated.

2 (b) “Health occupations board” means a board authorized to issue a license,
3 certificate, or registration under this article.

4 (c) (1) “Military spouse” means the spouse of a service member or veteran.

5 (2) “Military spouse” includes a surviving spouse of:

6 (i) A veteran; or

7 (ii) A service member who died within 1 year before the date on
8 which:

9 **1. FOR THE PURPOSES OF §§ 1-702 AND 1-703**
10 **THROUGH 1-705 OF THIS SUBTITLE, the application for a FULL license, certificate, or**
11 **registration is submitted; OR**

12 **2. FOR THE PURPOSES OF §§ 1-702.1 AND 1-702.2 OF**
13 **THIS SUBTITLE, THE APPLICATION FOR A TEMPORARY LICENSE, CERTIFICATE,**
14 **REGISTRATION, OR PERMIT IS SUBMITTED.**

15 (d) “Service member” means an individual who is an active duty member of:

16 (1) The armed forces of the United States;

17 (2) A reserve component of the armed forces of the United States; or

18 (3) The National Guard of any state.

19 (e) (1) “Veteran” means a former service member who was discharged from
20 active duty under circumstances other than dishonorable within 1 year before the date on
21 which:

22 **(I) FOR THE PURPOSES OF §§ 1-702 AND 1-703 THROUGH**
23 **1-705 OF THIS SUBTITLE, the application for a FULL license, certificate, or registration**
24 **is submitted; OR**

25 **(II) FOR THE PURPOSES OF §§ 1-702.1 AND 1-702.2 OF THIS**
26 **SUBTITLE, THE APPLICATION FOR A TEMPORARY LICENSE, CERTIFICATE,**
27 **REGISTRATION, OR PERMIT IS SUBMITTED.**

28 (2) “Veteran” does not include an individual who has completed active duty
29 and has been discharged for more than 1 year before:

1 **(I) FOR THE PURPOSES OF §§ 1-702 AND 1-703 THROUGH**
2 **1-705 OF THIS SUBTITLE, the application for a FULL license, certificate, or registration**
3 **is submitted; OR**

4 **(II) FOR THE PURPOSES OF §§ 1-702.1 AND 1-702.2 OF THIS**
5 **SUBTITLE, THE APPLICATION FOR A TEMPORARY LICENSE, CERTIFICATE,**
6 **REGISTRATION, OR PERMIT IS SUBMITTED.**

7 **1-702.1.**

8 **(A) (1) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, EACH**
9 **HEALTH OCCUPATIONS BOARD SHALL ISSUE AN EXPEDITED TEMPORARY LICENSE,**
10 **CERTIFICATE, REGISTRATION, OR PERMIT TO A SERVICE MEMBER, VETERAN, OR**
11 **MILITARY SPOUSE WHO MEETS THE REQUIREMENTS OF THIS SUBSECTION.**

12 **(2) A TEMPORARY LICENSE, CERTIFICATE, REGISTRATION, OR**
13 **PERMIT ISSUED UNDER THIS SUBSECTION IS VALID UNTIL THE EARLIER OF:**

14 **(I) 6 MONTHS AFTER THE DATE OF ISSUANCE; OR**

15 **(II) THE DATE ON WHICH A LICENSE, CERTIFICATE,**
16 **REGISTRATION, OR PERMIT IS GRANTED OR A NOTICE TO DENY A LICENSE,**
17 **CERTIFICATE, REGISTRATION, OR PERMIT IS ISSUED BY THE HEALTH OCCUPATIONS**
18 **BOARD.**

19 **(3) AN APPLICATION FOR A TEMPORARY LICENSE, CERTIFICATE,**
20 **REGISTRATION, OR PERMIT TO PRACTICE A HEALTH OCCUPATION UNDER THIS**
21 **SUBSECTION SHALL INCLUDE THE FOLLOWING, IN THE FORM AND MANNER**
22 **REQUIRED BY THE HEALTH OCCUPATIONS BOARD:**

23 **(I) PROOF THAT THE APPLICANT IS A SERVICE MEMBER,**
24 **VETERAN, OR MILITARY SPOUSE, INCLUDING:**

25 1. **FOR A SERVICE MEMBER OR VETERAN, A DD FORM**
26 **214, PERMANENT CHANGE OF STATION ORDERS, OR A COMMON ACCESS CARD**
27 **ISSUED BY THE U.S. DEPARTMENT OF DEFENSE; OR**

28 2. **FOR A MILITARY SPOUSE, A MARRIAGE CERTIFICATE**
29 **AND ONE OF THE FORMS OF IDENTIFICATION LISTED IN ITEM 1 OF THIS ITEM;**

30 **(II) PROOF THAT:**

31 1. **THE APPLICANT HAS HELD A VALID LICENSE,**

1 CERTIFICATE, REGISTRATION, OR PERMIT IN GOOD STANDING ISSUED IN ANOTHER
2 STATE FOR AT LEAST 1 YEAR; AND

3 2. EACH VALID LICENSE, CERTIFICATE, REGISTRATION,
4 OR PERMIT HELD BY THE APPLICANT ISSUED IN ANOTHER STATE IS IN GOOD
5 STANDING;

6 (III) IF THE APPLICANT IS A SERVICE MEMBER OR VETERAN,
7 PROOF THAT THE APPLICANT IS ASSIGNED TO A DUTY STATION IN THE STATE OR
8 HAS ESTABLISHED LEGAL RESIDENCE IN THE STATE;

9 (IV) IF THE APPLICANT IS A MILITARY SPOUSE, PROOF THAT:

10 1. THE APPLICANT'S SPOUSE IS ASSIGNED TO A DUTY
11 STATION IN THE STATE OR HAS ESTABLISHED LEGAL RESIDENCE IN THE STATE; OR

12 2. IF THE APPLICANT IS A SURVIVING SPOUSE
13 DESCRIBED UNDER § 1-701(C)(2) OF THIS SUBTITLE, THE APPLICANT HAS
14 ESTABLISHED LEGAL RESIDENCE IN THE STATE;

15 (V) 1. PROOF OF APPLICATION FOR A NATIONAL CRIMINAL
16 HISTORY RECORDS CHECK; OR

17 2. THE RESULTS OF A NATIONAL CRIMINAL HISTORY
18 RECORDS CHECK COMPLETED WITHIN 1 YEAR BEFORE THE DATE OF APPLICATION;

19 (VI) PROOF THAT THE APPLICANT HAS SUBMITTED AN
20 APPLICATION FOR FULL LICENSURE, CERTIFICATION, REGISTRATION, OR
21 PERMITTING; AND

22 (VII) PAYMENT OF ANY APPLICATION FEE REQUIRED BY THE
23 HEALTH OCCUPATIONS BOARD.

24 (B) (1) A HEALTH OCCUPATIONS BOARD MAY APPLY TO THE SECRETARY
25 FOR APPROVAL OF AN ALTERNATIVE PROCESS FOR LICENSURE, CERTIFICATION,
26 REGISTRATION, OR PERMITTING THAT DOES NOT MEET THE REQUIREMENTS OF
27 SUBSECTION (A) OF THIS SECTION BUT THAT ALLOWS SERVICE MEMBERS,
28 VETERANS, AND MILITARY SPOUSES TO OBTAIN A LICENSE, CERTIFICATE,
29 REGISTRATION, OR PERMIT UNDER THIS ARTICLE IN AN EXPEDITED MANNER THAT
30 MEETS THE GOALS OF SUBSECTION (A) OF THIS SECTION.

31 (2) IF THE SECRETARY APPROVES AN ALTERNATIVE PROCESS FOR
32 LICENSURE, CERTIFICATION, REGISTRATION, OR PERMITTING UNDER PARAGRAPH

1 **(1) OF THIS SUBSECTION, THE HEALTH OCCUPATIONS BOARD SHALL BE**
2 **CONSIDERED TO HAVE FULFILLED THE REQUIREMENTS OF SUBSECTION (A) OF THIS**
3 **SECTION.**

4 **1-702.2.**

5 **(A) SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, A HEALTH**
6 **OCCUPATIONS BOARD MAY ISSUE A TEMPORARY LICENSE, CERTIFICATE,**
7 **REGISTRATION, OR PERMIT TO A SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE**
8 **WHO HAS HELD A VALID LICENSE, CERTIFICATE, REGISTRATION, OR PERMIT IN**
9 **GOOD STANDING ISSUED IN ANOTHER STATE FOR LESS THAN 1 YEAR IF EACH VALID**
10 **LICENSE, CERTIFICATE, REGISTRATION, OR PERMIT HELD BY THE SERVICE**
11 **MEMBER, VETERAN, OR MILITARY SPOUSE IS IN GOOD STANDING.**

12 **(B) A TEMPORARY LICENSE, CERTIFICATE, REGISTRATION, OR PERMIT**
13 **ISSUED UNDER THIS SECTION AUTHORIZES THE SERVICE MEMBER, VETERAN, OR**
14 **MILITARY SPOUSE, FOR A LIMITED PERIOD OF TIME AS DETERMINED BY THE**
15 **HEALTH OCCUPATIONS BOARD, TO PERFORM SERVICES REGULATED BY THE**
16 **HEALTH OCCUPATIONS BOARD WHILE THE SERVICE MEMBER, VETERAN, OR**
17 **MILITARY SPOUSE COMPLETES THE REQUIREMENTS FOR LICENSURE,**
18 **CERTIFICATION, REGISTRATION, OR PERMITTING IN THE STATE.**

19 **(C) A HEALTH OCCUPATIONS BOARD MAY NOT ISSUE A LICENSE,**
20 **CERTIFICATE, REGISTRATION, OR PERMIT UNDER THIS SECTION IF ISSUANCE OF**
21 **THE LICENSE, CERTIFICATE, REGISTRATION, OR PERMIT WOULD POSE A RISK TO**
22 **PUBLIC HEALTH, WELFARE, OR SAFETY.**

23 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
24 **October 1, 2022.**