SENATE BILL 230

By: Senator Jackson
Introduced and read first time: January 13, 2022
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

AN ACT concerning

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

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

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

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

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

Article – Health Occupations

1–701.

(a) In this subtitle the following words have the meanings indicated.
(b) “Health occupations board” means a board authorized to issue a license, certificate, or registration under this article.

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

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

(i) A veteran; or

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

1. For the purposes of §§ 1–702 and 1–703 through 1–705 of this subtitle, the application for a full license, certificate, or registration is submitted; or

2. For the purposes of §§ 1–702.1 and 1–702.2 of this subtitle, the application for a temporary license, certificate, registration, or permit is submitted.

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

(1) The armed forces of the United States;

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

(3) The National Guard of any state.

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

(I) For the purposes of §§ 1–702 and 1–703 through 1–705 of this subtitle, the application for a full license, certificate, or registration is submitted; or

(II) For the purposes of §§ 1–702.1 and 1–702.2 of this subtitle, the application for a temporary license, certificate, registration, or permit is submitted.

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

(I) For the purposes of §§ 1–702 and 1–703 through
1–705 OF THIS SUBTITLE, the application for a FULL license, certificate, or registration is submitted; OR

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

1–702.1.

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

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

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

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

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

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

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

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

(II) PROOF THAT:

1. THE APPLICANT HAS HELD A VALID LICENSE, CERTIFICATE, REGISTRATION, OR PERMIT IN GOOD STANDING ISSUED IN ANOTHER
STATE FOR AT LEAST 1 YEAR; AND

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

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

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

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

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

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

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

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

(vii) PAYMENT OF ANY APPLICATION FEE REQUIRED BY THE HEALTH OCCUPATIONS BOARD.

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

(2) IF THE SECRETARY APPROVES AN ALTERNATIVE PROCESS FOR LICENSURE, CERTIFICATION, REGISTRATION, OR PERMITTING UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE HEALTH OCCUPATIONS BOARD SHALL BE
CONSIDERED TO HAVE FULFILLED THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION.

1–702.2.

(A) Subject to subsections (B) and (C) of this section, a Health Occupations Board may issue a temporary license, certificate, registration, or permit to a service member, veteran, or military spouse who has held a valid license, certificate, registration, or permit in good standing issued in another state for less than 1 year if each valid license, certificate, registration, or permit held by the service member, veteran, or military spouse is in good standing.

(B) A temporary license, certificate, registration, or permit issued under this section authorizes the service member, veteran, or military spouse, for a limited period of time as determined by the Health Occupations Board, to perform services regulated by the Health Occupations Board while the service member, veteran, or military spouse completes the requirements for licensure, certification, registration, or permitting in the State.

(C) A Health Occupations Board may not issue a license, certificate, registration, or permit under this section if issuance of the license, certificate, registration, or permit would pose a risk to public health, welfare, or safety.

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