SENATE BILL 230

By: Senator Jackson Senators Jackson, Hester, and Carozza

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

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 22, 2022

CHAPTER _____

1 AN ACT concerning

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

3 FOR the purpose of requiring health occupations boards to issue an expedited 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; requiring each health
   occupations board to include a check-off box prominently on a license, certification,
   or registration application form; requiring the Maryland Department of Health to
   publish prominently certain information on its website; and generally relating to
   temporary health occupational licensure, certification, registration, and permitting
   requirements for service members, veterans, and military spouses.

4 BY repealing and reenacting, with amendments,
   Article – Health Occupations
   Section 1–701, 1–704, and 1–705
   Annotated Code of Maryland
   (2021 Replacement Volume)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
Underlining indicates amendments to bill.
Strike out indicates matter stricken from the bill by amendment or deleted from the law by
amendment.
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 3 YEARS 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 § 1–702.1 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 UNIFORMED SERVICES, AS DEFINED BY 10 U.S.C. § 101;

(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 § 1–702.1
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 § 1–702.1
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; and

3. Each valid license, certificate, registration, or permit held by the applicant required substantially similar qualifications as the license, certificate, registration, or permit for which the applicant has applied, as determined by the Health Occupations Board;

   (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 proof that the applicant has completed a national criminal history records check in accordance with regulations adopted by the Health Occupations Board;
(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.
(a) Each health occupations board shall develop:

   (1) DEVELOP a procedure by which an individual who applies for a license, certificate, or registration can notify the board that the individual is a service member, veteran, or military spouse; AND

   (2) [A health occupations board may satisfy the requirement of paragraph (1) of this subsection by including] INCLUDE a check–off box PROMINENTLY on [a] EACH license, certificate, or registration application form.

(b) For each applicant who is a service member, veteran, or military spouse, a health occupations board shall assign to the applicant an advisor to assist the individual with the application process.

(c) (1) Each health occupations board shall expedite the process for the licensure, certification, or registration of a service member, veteran, or military spouse.

   (2) If a service member, veteran, or military spouse meets the requirements for licensure, certification, or registration, a health occupations board shall issue the license, certificate, or registration within 15 business days after receiving a completed application.

(d) If a health occupations board determines that a service member, veteran, or military spouse does not meet the education, training, or experience requirements for licensure, certification, or registration, a representative of the board shall assist the service member, veteran, or military spouse in identifying:

   (1) Programs that offer relevant education or training; or

   (2) Ways of obtaining needed experience.

(E) ON OR BEFORE JANUARY 1 EACH YEAR, BEGINNING IN 2024, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, ON THE PROCESSING OF APPLICATIONS FROM SERVICE MEMBERS, MILITARY SPOUSES, AND VETERANS, INCLUDING, FOR THE IMMEDIATELY PRECEDING 12–MONTH PERIOD:

   (1) FOR EACH HEALTH OCCUPATIONS BOARD:

      (I) THE NUMBER OF APPLICATIONS RECEIVED FROM SERVICE MEMBERS, MILITARY SPOUSES, AND VETERANS;

      (II) THE NUMBER OF APPLICATIONS INCLUDED UNDER ITEM (I) OF THIS ITEM THAT WERE PROCESSED;
(III) The number of applications included under item (I) of this item that were not processed; and

(iv) For the applications included under item (III) of this item, the reason why processing was delayed; and

(2) If a health occupations board received applications from service members, military spouses, and veterans that were not processed, the plan of the health occupations board to improve the processing of applications from service members, military spouses, and veterans.

(A) Each health occupations board shall publish prominently on its website information on:

(1) The expedited licensing process available to service members, veterans, and military spouses under § 1–704 of this subtitle; and

(2) Any assistance and services related to licensure, certification, or registration provided by the board to service members, veterans, and military spouses.

(B) The Department shall publish prominently on its website the information that each health occupations board is required to publish under subsection (A) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before June 1, 2023, the Maryland Department of Health shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article, on the procedures developed by each health occupations board under § 1–704 of the Health Occupations Article, as enacted by Section 1 of this Act.

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