

SENATE BILL 78

J2
SB 230/22 – EHE

(PRE-FILED)

3lr0821

By: **Senator Jackson**

Requested: November 16, 2022

Introduced and read first time: January 11, 2023

Assigned to: Finance

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 an expedited temporary
5 license, certificate, registration, or permit to a service member, veteran, or military
6 spouse who meets certain requirements; requiring each health occupations board to
7 include a check-off box prominently on a license, certification, or registration
8 application form; requiring the Maryland Department of Health to publish
9 prominently certain information on its website; and generally relating to temporary
10 health occupational licensure, certification, registration, and permitting
11 requirements for service members, veterans, and military spouses.

12 BY repealing and reenacting, with amendments,
13 Article – Health Occupations
14 Section 1-701, 1-704, and 1-705
15 Annotated Code of Maryland
16 (2021 Replacement Volume and 2022 Supplement)

17 BY adding to
18 Article – Health Occupations
19 Section 1-702.1
20 Annotated Code of Maryland
21 (2021 Replacement Volume and 2022 Supplement)

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

24 **Article – Health Occupations**

25 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] **3 YEARS** before the
8 date on 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 OF THIS SUBTITLE,**
13 **THE APPLICATION FOR A TEMPORARY LICENSE, CERTIFICATE, REGISTRATION, OR**
14 **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] **UNIFORMED SERVICES, AS**
17 **DEFINED BY 10 U.S.C. § 101;**

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

19 (3) The National Guard of any state.

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

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

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

29 (2) “Veteran” does not include an individual who has completed active duty

1 and has been discharged for more than 1 year before:

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

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

8 1-702.1.

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

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

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

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

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

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

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

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

31 (II) PROOF THAT:

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

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

7 3. **EACH VALID LICENSE, CERTIFICATE, REGISTRATION,**
8 **OR PERMIT HELD BY THE APPLICANT REQUIRED SUBSTANTIALLY SIMILAR**
9 **QUALIFICATIONS AS THE LICENSE, CERTIFICATE, REGISTRATION, OR PERMIT FOR**
10 **WHICH THE APPLICANT HAS APPLIED, AS DETERMINED BY THE HEALTH**
11 **OCCUPATIONS BOARD;**

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

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

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

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

21 (V) **PROOF THAT THE APPLICANT HAS COMPLETED A NATIONAL**
22 **CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH REGULATIONS**
23 **ADOPTED BY THE HEALTH OCCUPATIONS BOARD;**

24 (VI) **PROOF THAT THE APPLICANT HAS SUBMITTED AN**
25 **APPLICATION FOR FULL LICENSURE, CERTIFICATION, REGISTRATION, OR**
26 **PERMITTING; AND**

27 (VII) **PAYMENT OF ANY APPLICATION FEE REQUIRED BY THE**
28 **HEALTH OCCUPATIONS BOARD.**

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

1 MEETS THE GOALS OF SUBSECTION (A) OF THIS SECTION.

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

7 1-704.

8 (a) [(1)] Each health occupations board shall [develop]:

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

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

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

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

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

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

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

29 (2) Ways of obtaining needed experience.

30 (E) ON OR BEFORE JANUARY 1 EACH YEAR, BEGINNING IN 2025, THE
31 DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH
32 § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE PROCESSING OF
33 APPLICATIONS FROM SERVICE MEMBERS, MILITARY SPOUSES, AND VETERANS,
34 INCLUDING, FOR THE IMMEDIATELY PRECEDING 12-MONTH PERIOD:

1 **(1) FOR EACH HEALTH OCCUPATIONS BOARD:**

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

4 **(II) THE NUMBER OF APPLICATIONS INCLUDED UNDER ITEM (I)**
5 **OF THIS ITEM THAT WERE PROCESSED;**

6 **(III) THE NUMBER OF APPLICATIONS INCLUDED UNDER ITEM (I)**
7 **OF THIS ITEM THAT WERE NOT PROCESSED; AND**

8 **(IV) FOR THE APPLICATIONS INCLUDED UNDER ITEM (III) OF**
9 **THIS ITEM, THE REASON WHY PROCESSING WAS DELAYED; AND**

10 **(2) IF A HEALTH OCCUPATIONS BOARD RECEIVED APPLICATIONS**
11 **FROM SERVICE MEMBERS, MILITARY SPOUSES, AND VETERANS THAT WERE NOT**
12 **PROCESSED, THE PLAN OF THE HEALTH OCCUPATIONS BOARD TO IMPROVE THE**
13 **PROCESSING OF APPLICATIONS FROM SERVICE MEMBERS, MILITARY SPOUSES, AND**
14 **VETERANS.**

15 1–705.

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

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

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

22 **(B) THE DEPARTMENT SHALL PUBLISH PROMINENTLY ON ITS WEBSITE THE**
23 **INFORMATION THAT EACH HEALTH OCCUPATIONS BOARD IS REQUIRED TO PUBLISH**
24 **UNDER SUBSECTION (A) OF THIS SECTION.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before June 1, 2024,
26 the Maryland Department of Health shall report to the General Assembly, in accordance
27 with § 2–1257 of the State Government Article, on the procedures developed by each health
28 occupations board under § 1–704 of the Health Occupations Article, as enacted by Section
29 1 of this Act.

30 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2023.