

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1201 (Delegate Buckel, *et al.*)

Economic Matters and Health and
Government Operations

Occupational and Professional Licensing - Military Training and Military
Spouses

This bill requires an “occupational licensing board,” notwithstanding any other provision of law, to issue a license, certificate, permit, or registration (credential) for an applicant who meets specified criteria and (1) has completed specified military training or (2) is a military spouse. An occupational licensing board may issue a temporary credential to an applicant who has a similar credential in another jurisdiction, as specified, while the applicant is in the process of satisfying the specified criteria to obtain an appropriate credential as an applicant with military training or as a military spouse. An applicant who meets the bill’s criteria may still apply for an occupational or professional credential under any other provision of law. An occupational licensing board must adopt regulations to implement the bill.

Fiscal Summary

State Effect: The affected occupational licensing boards can implement the bill within existing budgeted resources, as discussed below. Revenues may increase to the extent that individuals, who would not have otherwise pursued a Maryland credential, do so under the bill and pay associated fees.

Local Effect: None. The bill pertains exclusively to State activities.

Small Business Effect: Minimal.

Analysis

Bill Summary: An “occupational licensing board” means a unit responsible for issuing an occupational or professional license, certificate, permit, or registration that is required

for an individual to practice an occupation or a profession the State, including a unit authorized under the following articles: (1) Agriculture; (2) Business Regulation; (3) Business Occupations and Professions (excluding the State Board of Law Examiners); (4) Environment; (5) Health Occupations; (6) Public Safety; and (7) Transportation.

Applicants with Military Training

An occupational licensing board must issue the appropriate credential to an applicant that:

- has completed a military program of training, been awarded a military occupational specialty, and performed that specialty at a level that is substantially equivalent to or exceeds the requirements of the relevant Maryland occupational licensing board to which the applicant has applied;
- has engaged in the active practice of the occupation or profession for which the individual is seeking a credential for at least two of the five years immediately preceding the application (considering experience that is full- or part-time and paid or unpaid);
- has not committed any act in any jurisdiction that would have constituted grounds for denial, suspension, or revocation of the credential sought in the State at the time the act was committed; and
- has paid any fees required by the occupational licensing board.

Military Spouse Applicants

An occupational licensing board must issue the appropriate credential to an applicant that:

- is a military spouse;
- holds a current credential from another jurisdiction with requirements that are substantially equivalent to or exceed the requirements of the relevant Maryland occupational licensing board;
- can demonstrate competency in the occupation or profession in a method determined by the occupational licensing board (considering experience that is full- or part-time and paid or unpaid);
- has not committed any act in any jurisdiction that would have constituted grounds for denial, suspension, or revocation of the credential sought in the State at the time the act was committed;
- is in good standing with and has not been disciplined by the unit from the jurisdiction in which the applicant holds a current credential; and
- pays any fees required by the occupational licensing board.

Current Law: Generally, applications for occupational credentials are issued, denied, suspended, or revoked on a discretionary basis by the applicable governing occupational boards in Maryland, based on existing and varied statutory and/or regulatory standards.

Veterans Full Employment Act of 2013

Chapters 154 and 155 of 2013 require health occupations boards to expedite the licensure, certification, or registration of a service member, veteran, or military spouse. The boards must also assign an advisor to assist the individual with the application process and provide specified information to assist in the licensing, certification, or registration process. The Maryland Department of Health must also credit specified military training and education completed by a service member toward licensure or certification requirements.

If a service member, veteran, or military spouse meets the requirements for licensure, certification, or registration, each health occupations board must expedite the licensure, certification, or registration process and issue the credential within 15 days after receiving a completed application. 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 must assist the individual in identifying programs that offer relevant education or training or ways of obtaining needed experience.

Each health occupations board must publish information on its website related to the expedited licensing process and any related assistance and services provided by the board to service members, veterans, and military spouses. In addition, each health occupations board may allow a licensee or certificate holder who is a member the U.S. Armed Forces deployed outside the United States or its territories to (1) renew the license or certificate after the expiration of the renewal period without payment of a penalty or reinstatement fee if the late renewal is a direct result of the deployment and (2) complete any continuing education or continuing professional competency requirements or criminal history records check required for licensure within a reasonable time after renewing the license or certificate.

Federal Veterans Auto and Education Improvement Act of 2022

A servicemember or spouse of a servicemember who has a “covered license” and is relocated due to military orders for service outside of the jurisdiction that issued the covered license is considered to have a valid license at a similar scope of practice in the jurisdiction where the covered licensee is relocated for the duration of the military orders. However, for that to be the case, the covered licensee must (1) provide a copy of the military orders to the licensing authority in the jurisdiction where the licensee is relocated; (2) remain in good standing with the licensing authority that issued the covered license and

every other licensing authority that has issued a license to the covered licensee; and (3) submit to the licensing authority in the jurisdiction where the covered licensee is relocated. A “covered license” means a professional license or certificate that is in good standing with the licensing authority that issued the credential, has been used during the two years immediately preceding the specified relocation, and does not include a license to practice law.

State Fiscal Effect: In general, occupational licensing boards may charge a fee for issuing a license, certificate, permit, or registration. Thus, to the extent that additional individuals (who would not otherwise pursue a credential in absence of the bill) pay a fee for a credential under the bill, revenues for the affected agencies across multiple fund types increase. Any increase is anticipated to be minimal.

The affected occupational licensing boards (with the exception of the Maryland Board of Physicians (MBP)) advise there will be an operational impact to implement the bill that can be absorbed with existing budgeted resources.

MBP advises that it can generally use existing resources to develop licensure applications, update its website, and establish internal procedures that encompass the bill’s provisions. According to MBP, implementation also requires hiring two licensure analyst leads (one dedicated to licensing physicians and one dedicated to licensing allied health practitioners) and \$35,000 in contractual services for drafting regulations and updating the licensing system at an estimated cost of \$169,542 in fiscal 2025.

However, pursuant to Chapters 154 and 155, MBP currently prioritizes all applications for licensure from service members, veterans, and military spouses above all other applications, regardless of when received. Moreover, MBP has previously advised that applicants also have the option for licensure via reciprocity, endorsement, or through the Interstate Medical Licensure Compact. The Interstate Medical Licensure Compact, which offers an expedited process for licensure to an applicant already licensed in a member state, consists of 37 participating states (including Maryland) and the District of Columbia.

Thus, the Department of Legislative Services advises that MBP can likely absorb the bill’s impact as the number of additional applicants solely resulting from the bill is expected to be small.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 1072 (Senator McKay) - Education, Energy, and the Environment and Finance.

Information Source(s): Maryland State Department of Education; Maryland Department of Agriculture; Maryland Department of the Environment; Maryland Department of Health; Maryland Department of Labor; Department of Natural Resources; Department of State Police; Department of Legislative Services

Fiscal Note History: First Reader - February 29, 2024
km/jc

Analysis by: Amber R. Gundlach

Direct Inquiries to:
(410) 946-5510
(301) 970-5510