

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1863

By: Russell

4  
5  
6 AS INTRODUCED

7 An Act relating to professional licenses; creating  
8 the Post-Military Service Occupation, Education and  
9 Credentialing Act; providing short title; making  
10 certain legislative findings; recognizing certain  
11 education, training and experience of military  
12 members and their spouses; authorizing certain  
13 institutions of higher education to apply certain  
14 academic credits for certain students; limiting  
15 application of certain academic credits to certain  
16 period after military discharge; authorizing certain  
17 boards to adopt certain policies by certain time for  
18 educational credits; providing for institutions to  
19 promulgate rules by certain time; authorizing  
20 acceptance of military education, training and  
21 experience for occupational licenses; providing for  
22 certain training and experience to be applied most  
23 favorably to license qualifications; directing  
24 certain agencies to promulgate rules; authorizing  
health-related agencies to expedite licenses for  
military spouses; limiting who is qualified for  
expedited procedures; providing for certain  
procedures to expedite certain licensure; stating  
qualifications for expedited license; authorizing  
certain procedures; allowing for automatic extension  
of license for active-duty military members; stating  
criteria for automatic extension; authorizing renewal  
of license without meeting certain requirements for  
certain military members; allowing extension during  
active duty; limiting extension period to certain  
time after discharge from active duty; construing  
authority for licensure; prohibiting automatic  
licensure without certain verifications and  
qualifications; and providing an effective date.

1 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

2 SECTION 1. NEW LAW A new section of law to be codified  
3 in the Oklahoma Statutes as Section 4100 of Title 59, unless there  
4 is created a duplication in numbering, reads as follows:

5 This act shall be known and may be cited as the Post-Military  
6 Service Occupation, Education and Credentialing Act.

7 SECTION 2. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 4100.1 of Title 59, unless there  
9 is created a duplication in numbering, reads as follows:

10 The Legislature finds that military service members after  
11 separating from military service are frequently delayed in getting  
12 post-military employment even though the service member may have  
13 applicable military education, training, and experience which could  
14 qualify for an occupational license or certification, or which could  
15 provide academic credit toward college, university or technical  
16 degree requirements. The Legislature finds it is advantageous to  
17 the state to create occupational and educational opportunities for  
18 post-military service members who are honorably discharged and  
19 spouses of active-duty service members who must leave work in  
20 another state to accompany their service member on transfer and  
21 assignment for military duty in this state. The Legislature  
22 additionally finds that the spouse of an active-duty service member  
23 assigned for duty in this state who possesses a valid professional  
24 license or certification with current experience in another state

1 should be allowed to apply for the same professional license or  
2 certification in this state and such application should be expedited  
3 for better employment opportunities and based upon the person having  
4 substantially equivalent education, training and experience for  
5 licensure in this state.

6 SECTION 3. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 4100.2 of Title 59, unless there  
8 is created a duplication in numbering, reads as follows:

9 The Legislature hereby authorizes the public and private  
10 institutions of higher education and the career and technology  
11 centers in this state to utilize the Guide to the Evaluation of  
12 Educational Experiences in the Armed Services, published by the  
13 American Council on Education (ACE,) to compare and apply academic  
14 credit for education, training and experience received through  
15 military duty or service which is applicable to the selected program  
16 of study for an honorably discharged military service member who  
17 becomes a student at an institution of higher education or career  
18 and technology center within three (3) years after separation from  
19 military service.

20 SECTION 4. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 4100.3 of Title 59, unless there  
22 is created a duplication in numbering, reads as follows:

23 A. In addition to any other power, duty or function authorized  
24 for institutions of higher education or career and technology

1 centers, each governing board shall adopt, not later than January 1,  
2 2013, a policy authorizing the institution or career and technology  
3 center under the board's supervision and management to award  
4 educational credits to a student enrolled in the institution or  
5 career and technology center who is also honorably discharged from  
6 the Armed Forces of the United States within three (3) years of  
7 initial enrollment, for courses that are part of the student's  
8 military training or service and that meet the standards of the  
9 American Council on Education (ACE) or equivalent standards for  
10 awarding academic credit if the award of educational credit is based  
11 upon the institution's or technical career center's admission  
12 standards and its role, scope and mission.

13 B. Each governing board shall adopt necessary rules and  
14 procedures to implement the provisions of this section effective  
15 beginning with the 2013-2014 academic year, and continuing  
16 thereafter.

17 SECTION 5. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 4100.4 of Title 59, unless there  
19 is created a duplication in numbering, reads as follows:

20 A. Every administrative body, state agency director or official  
21 with authority over any occupational or professional license or  
22 certification, and each of the respective examining and licensing  
23 boards, shall, upon presentation of satisfactory evidence of  
24 equivalent education training and experience by an applicant for

1 certification or licensure, accept the education, training, and  
2 experience completed by the individual as a member of the Armed  
3 Forces or Reserves of the United States, National Guard of any  
4 state, the Military Reserves of any state, or the Naval Militias of  
5 any state, and apply it in the manner most favorable toward  
6 satisfying the qualifications for issuance of the requested license  
7 or certification or approval for license examination in this state.

8 B. Each agency director or official, and each examining and  
9 licensing board, shall promulgate rules to implement the provisions  
10 of this section.

11 SECTION 6. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 4100.5 of Title 59, unless there  
13 is created a duplication in numbering, reads as follows:

14 A. Every health-related agency, board or commission is  
15 authorized to expedite endorsement of licenses or certifications for  
16 military spouse applicants; provided, the military service member is  
17 on active duty within this state or claims permanent residency in  
18 this state for the six (6) months prior to assignment to active duty  
19 or during the period of active duty.

20 B. Notwithstanding any other law to the contrary, each health-  
21 related board is authorized to establish a procedure to expedite the  
22 issuance of a license, certification or permit to perform  
23 professional services regulated by each such board to a person:

24

1        1. Who is certified or licensed in another state to perform  
2 professional services in a state other than the State of Oklahoma;

3        2. Whose spouse is an active-duty member of the Armed Forces of  
4 the United States;

5        3. Whose spouse is the subject to a military transfer to this  
6 state; and

7        4. Who left employment in another state to accompany the  
8 person's spouse to this state.

9        C. The procedures to expedite licensure or certification in  
10 health-related professions may include:

11        1. Issuing the person a license, certificate or permit, if, in  
12 the opinion of the board, the requirements for certification or  
13 licensure of the other state are substantially equivalent to that  
14 required by this state; or

15        2. Developing a method to authorize the person to perform  
16 professional services regulated by the board in this state by  
17 issuing the person a temporary permit for a limited period of time  
18 to allow the person to perform professional services while  
19 completing any specific requirements in this state that were not  
20 required in the state in which the person was licensed or certified.

21        SECTION 7.        NEW LAW        A new section of law to be codified  
22 in the Oklahoma Statutes as Section 4100.6 of Title 59, unless there  
23 is created a duplication in numbering, reads as follows:

24

1       A. Every agency, board or commission in this state with  
2 authority to issue and regulate professional licenses or  
3 certifications is authorized to provide for the automatic extension  
4 of such professional license or certification for active-duty  
5 military service members and to provide a reasonable period of time  
6 after military service to activate the license or certification for  
7 employment purposes.

8       B. Notwithstanding any other statutes to the contrary, any  
9 member of the Armed Forces of the United States on active duty who  
10 at the time of activation was:

11       1. A member in good standing with any administrative body of  
12 the state; and

13       2. Was duly licensed or certified to engage in his or her  
14 profession or vocation in this state,  
15 may be kept in good standing by the administrative body with which  
16 he or she is licensed or certified.

17       C. While a licensee or certificate holder is deployed on  
18 active-duty as a member of the Armed Forces of the United States,  
19 the license or certificate referenced in subsection B of this  
20 section may be renewed without:

21       1. The payment of dues or fees;  
22       2. Obtaining continuing education credits when:

23  
24

- 1 a. circumstances associated with military duty prevent  
2 obtaining training and a waiver request has been  
3 submitted to the appropriate administrative body,  
4 b. the active duty military member performs the licensed  
5 or certified occupation as part of his or her military  
6 duties as annotated in Defense Department Form 214 (DD  
7 214), or  
8 c. performing any other act typically required for the  
9 renewal of the license or certificate.

10 D. The license or certificate issued pursuant to the provisions  
11 of this section may be continued as long as the licensee or  
12 certificate holder is a member of the Armed Forces of the United  
13 States on active duty and for a period of at least one year after  
14 discharge from active duty.

15 SECTION 8. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 4100.7 of Title 59, unless there  
17 is created a duplication in numbering, reads as follows:

18 Nothing in the Post-Military Service Occupation, Education and  
19 Credentialing Act shall be construed to require the issuance of any  
20 license or certificate to an applicant who does not otherwise meet  
21 the stated eligibility standards, criteria, qualifications or  
22 requirements for licensure or certification, nor shall the  
23 provisions be construed to automatically allow issuance of any  
24 license or certificate without testing or examination, without

1 proper consideration by the licensing and examination board, or  
2 without proper verification that the applicant is not subject to  
3 pending criminal charges or disciplinary actions, has not been  
4 convicted of any offense prohibiting licensure or certification, and  
5 has no other impairment which would prohibit licensure or  
6 certification in this state.

7 SECTION 9. This act shall become effective November 1, 2012.

8

9 53-2-2317 NP 1/19/2012 7:46:06 PM

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24