

1 ENGROSSED SENATE
2 BILL NO. 1404

By: Wyrick and Shortey of the
Senate

3 and

4 Glenn of the House
5

6 An Act relating to professions and occupations;
7 renaming act; defining terms; providing for expedited
8 licenses and credentials for certain military
9 persons; directing the State Superintendent of Public
10 Instruction to develop certain process for educator
11 certification for certain persons; directing certain
12 health occupations and professions to develop process
13 to license certain persons; providing assistance for
14 certain application process; directing the State
15 Department of Health, Emergency Medical Services
16 division, to credit certain education and training
17 for certain persons; requiring promulgation of rules;
18 amending Sections 1, 5, 6, 7 and 8, Chapter 226,
19 O.S.L. 2012 (59 O.S. Supp. 2013, Sections 4100,
20 4100.4, 4100.5, 4100.6 and 4100.7), which relate to
21 the Post-Military Service Occupation, Education and
22 Credentialing Act; modifying language; providing for
23 codification; and providing an effective date.
24

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

SECTION 1. AMENDATORY Section 1, Chapter 226, O.S.L.
2012 (59 O.S. Supp. 2013, Section 4100), is amended to read as
follows:

Section 4100. This act shall be known and may be cited as the
"~~Post~~-Military Service Occupation, Education and Credentialing Act".

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

4 For purposes of the Military Service Occupation, Education and
5 Credentialing Act:

6 1. "Service member" means an individual who is an active duty
7 member of the U.S. Armed Forces, a reserve component of the U.S.
8 Armed Forces, or the national guard of any state;

9 2. "Veteran" means a former service member who was discharged
10 from active duty under circumstances other than dishonorable within
11 three (3) years before the date on which an application for
12 licensure, registration or certification is submitted; it shall not
13 include an individual who has completed active duty and has been
14 discharged for more than three (3) years before an application for
15 licensure is submitted; and

16 3. "Military spouse" means the lawful current spouse of a
17 service member or veteran and includes a surviving spouse of a
18 veteran service member who died within three (3) years before a
19 license or certificate application is submitted.

20 SECTION 3. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 4100.3A of Title 59, unless
22 there is created a duplication in numbering, reads as follows:

23 For purposes of the Military Service Occupation, Education and
24 Credentialing Act, the State Superintendent of Public Instruction

1 shall develop a process to expedite educator certification for a
2 service member, veteran, or military spouse and may issue a
3 temporary educator certificate under special conditions. Each
4 application for a temporary educator certificate shall include
5 payment of any application fee required. Rules and regulations
6 shall be promulgated to implement the provisions of this section.

7 SECTION 4. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 4100.8 of Title 59, unless there
9 is created a duplication in numbering, reads as follows:

10 For purposes of the Military Service Occupation, Education and
11 Credentialing Act, all health occupations boards and commissions
12 within this state shall develop a process to expedite the licensure,
13 certification, or registration of a service member, veteran, or
14 military spouse in the health occupations and professions under the
15 authority of such board or commission. The board or commission
16 shall also assign an advisor to assist the military individual with
17 the application process and provide specific information to assist
18 in the licensing, certification, or registration process for service
19 members, veterans and military spouses who have sufficient training
20 and experience in the related health occupation and profession under
21 the supervision of such board or commission. Each board or
22 commission shall adopt rules and regulations to implement the
23 provisions of this section.

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1 SECTION 5. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 4100.9 of Title 59, unless there
3 is created a duplication in numbering, reads as follows:

4 For purposes of the Military Service Occupation, Education and
5 Credentialing Act, the State Department of Health, through the
6 Emergency Medical Services (EMS) division, shall develop a process
7 to credit specific military training and education completed by a
8 service member, veteran or military spouse toward licensure or
9 certification requirements for emergency medical technicians and
10 emergency medical responders. Rules and regulations shall be
11 promulgated to implement the provisions of this section.

12 SECTION 6. AMENDATORY Section 5, Chapter 226, O.S.L.
13 2012 (59 O.S. Supp. 2013, Section 4100.4), is amended to read as
14 follows:

15 Section 4100.4. A. Every administrative body, state agency
16 director or official with authority over any occupational or
17 professional license or certification, and each of the respective
18 examining and licensing boards, shall, upon presentation of
19 satisfactory evidence of equivalent education, training and
20 experience by an applicant for certification or licensure, accept
21 the education, training, and experience completed by the individual
22 as a service member ~~of the Armed Forces or Reserves of the United~~
23 ~~States, National Guard of any state, the Military Reserves of any~~
24 ~~state, veteran or the Naval Militias of any state~~ military spouse,

1 and apply it in the manner most favorable toward satisfying the
2 qualifications for issuance of the requested license ~~or~~,
3 certification or registration, or approval for license examination
4 in this state.

5 B. Each agency director or official, and each examining and
6 licensing board, shall promulgate rules to implement the provisions
7 of this section.

8 SECTION 7. AMENDATORY Section 6, Chapter 226, O.S.L.
9 2012 (59 O.S. Supp. 2013, Section 4100.5), is amended to read as
10 follows:

11 Section 4100.5. A. Every agency, board or commission shall
12 establish a procedure to expedite endorsement of licenses ~~or~~
13 certifications or registrations for military spouse applicants;
14 provided, the military service member is on active duty within this
15 state or claims permanent residency in this state for the six (6)
16 months prior to assignment to active duty or during the period of
17 active duty.

18 B. Notwithstanding any other law to the contrary, each board,
19 commission or agency shall establish a procedure to expedite the
20 issuance of a license, certification, registration or permit to
21 perform professional services regulated by each such board to a
22 person:

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

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

3 3. Whose spouse is subject to a military transfer to this
4 state; and

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

7 C. The procedures to expedite licensure or certification shall
8 include:

9 1. Issuing the person a license, certificate, registration or
10 permit, if, in the opinion of the board, commission or agency, the
11 requirements for certification or licensure of the other state are
12 substantially equivalent to those required by this state; or

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

20 SECTION 8. AMENDATORY Section 7, Chapter 226, O.S.L.
21 2012 (59 O.S. Supp. 2013, Section 4100.6), is amended to read as
22 follows:

23 Section 4100.6. A. Every agency, board or commission in this
24 state with authority to issue and regulate professional or

1 occupational licenses ~~or,~~ certifications or registrations is
2 authorized to provide for the automatic extension of such
3 professional or occupational license ~~or,~~ certification or
4 registration for active-duty military service members and to provide
5 a reasonable period of time after military service to activate the
6 license or certification for employment purposes.

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

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

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

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

20 1. The payment of dues or fees; and

21 2. Obtaining continuing education credits when:

22 a. circumstances associated with military duty prevent
23 obtaining training and a waiver request has been
24 submitted to the appropriate administrative body,

- 1 b. the active-duty ~~military~~ service member performs the
2 licensed or certified occupation as part of his or her
3 military duties as annotated in Defense Department
4 Form 214 (DD 214), or
- 5 c. performing any other act typically required for the
6 renewal of the license or certificate.

7 D. The license ~~or~~, certificate or registration issued pursuant
8 to the provisions of this section may be continued as long as the
9 licensee or certificate holder is a service member ~~of the Armed~~
10 ~~Forces of the United States~~ on active duty and for a period of at
11 least one (1) year after discharge from active duty.

12 SECTION 9. AMENDATORY Section 8, Chapter 226, O.S.L.
13 2012 (59 O.S. Supp. 2013, Section 4100.7), is amended to read as
14 follows:

15 Section 4100.7. Nothing in the ~~Post~~-Military Service
16 Occupation, Education and Credentialing Act shall be construed to
17 require the issuance of any license or certificate to ~~an~~ a service
18 member, veteran or military spouse applicant who does not otherwise
19 meet the stated eligibility standards, criteria, qualifications or
20 requirements for licensure or certification, nor shall the
21 provisions be construed to automatically allow issuance of any
22 license or certificate without testing or examination, without
23 proper consideration by the licensing and examination board, or
24 without proper verification that the applicant is not subject to

1 pending criminal charges or disciplinary actions, has not been
2 convicted of any offense prohibiting licensure or certification, and
3 has no other impairment which would prohibit licensure or
4 certification in this state.

5 SECTION 10. This act shall become effective November 1, 2014.

6 Passed the Senate the 4th day of March, 2014.

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Presiding Officer of the Senate

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10 Passed the House of Representatives the ____ day of _____,
11 2014.

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Presiding Officer of the House
of Representatives

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