STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

SENATE BILL 1404 By: Wyrick

AS INTRODUCED

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

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".

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2. Duly licensed or certified to engage in his or her profession or vocation in this state,

may be kept in good standing by the administrative body with which he or she is licensed or certified.

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

1. The payment of dues or fees; and

2. Obtaining continuing education credits when:

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

b. the active-duty ~~military~~ service member performs the licensed or certified occupation as part of his or her military duties as annotated in Defense Department Form 214 (DD 214), or

c. performing any other act typically required for the renewal of the license or certificate.

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

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

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

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

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

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