

# SENATE BILL 938

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CF HB 1006

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By: **Senator Peters**

Introduced and read first time: February 12, 2021

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Service Members, Veterans, and Military Spouses –**  
3 **Temporary Licensure, Certification, and Registration**

4 FOR the purpose of requiring certain health occupations boards to issue a temporary  
5 expedited license, certificate, or registration to a service member, veteran, or  
6 military spouse who meets certain requirements; providing for the term of a certain  
7 temporary license, certificate, or registration; requiring that an application for a  
8 certain temporary license, certificate, or registration include certain information;  
9 requiring a certain health occupations board to make a certain determination before  
10 issuing a certain temporary license, certificate, or registration; authorizing a certain  
11 health occupations board to apply to the Secretary of Health for approval of a certain  
12 alternative process for licensure, certification, or registration for certain individuals  
13 for a certain purpose; requiring that a certain health occupations board be considered  
14 to have fulfilled certain requirements under certain circumstances; authorizing  
15 certain health occupations boards to issue a temporary license, certificate, or  
16 registration to certain individuals who hold a certain license, certificate, or  
17 registration in another state that does not meet certain requirements in the State;  
18 providing that a certain temporary license, certificate, or registration authorizes the  
19 service member, veteran, or military spouse to perform certain services for a certain  
20 limited period of time under certain circumstances; prohibiting a health occupations  
21 board from issuing a certain temporary license, certificate, or registration under  
22 certain circumstances; and generally relating to temporary health occupational  
23 licensure, certificate, and registration requirements and service members, veterans,  
24 and military spouses.

25 BY repealing and reenacting, without amendments,  
26 Article – Health Occupations  
27 Section 1–701  
28 Annotated Code of Maryland  
29 (2014 Replacement Volume and 2020 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to  
2 Article – Health Occupations  
3 Section 1–702.1 and 1–702.2  
4 Annotated Code of Maryland  
5 (2014 Replacement Volume and 2020 Supplement)

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

8 **Article – Health Occupations**

9 1–701.

- 10 (a) In this subtitle the following words have the meanings indicated.
- 11 (b) “Health occupations board” means a board authorized to issue a license,  
12 certificate, or registration under this article.
- 13 (c) (1) “Military spouse” means the spouse of a service member or veteran.
- 14 (2) “Military spouse” includes a surviving spouse of:
- 15 (i) A veteran; or
- 16 (ii) A service member who died within 1 year before the date on  
17 which the application for a license, certificate, or registration is submitted.
- 18 (d) “Service member” means an individual who is an active duty member of:
- 19 (1) The armed forces of the United States;
- 20 (2) A reserve component of the armed forces of the United States; or
- 21 (3) The National Guard of any state.
- 22 (e) (1) “Veteran” means a former service member who was discharged from  
23 active duty under circumstances other than dishonorable within 1 year before the date on  
24 which the application for a license, certificate, or registration is submitted.
- 25 (2) “Veteran” does not include an individual who has completed active duty  
26 and has been discharged for more than 1 year before the application for a license, certificate,  
27 or registration is submitted.

28 **1–702.1.**

29 **(A) (1) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, EACH**  
30 **HEALTH OCCUPATIONS BOARD SHALL ISSUE AN EXPEDITED TEMPORARY LICENSE,**

1 CERTIFICATE, OR REGISTRATION TO A SERVICE MEMBER, VETERAN, OR MILITARY  
2 SPOUSE WHO MEETS THE REQUIREMENTS OF THIS SUBSECTION.

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

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

6 (II) THE DATE ON WHICH A LICENSE, CERTIFICATE, OR  
7 REGISTRATION IS GRANTED OR A NOTICE TO DENY A LICENSE, CERTIFICATE, OR  
8 REGISTRATION IS ISSUED BY THE HEALTH OCCUPATIONS BOARD.

9 (3) AN APPLICATION FOR A TEMPORARY LICENSE, CERTIFICATE, OR  
10 REGISTRATION TO PRACTICE A HEALTH OCCUPATION UNDER THIS SUBSECTION  
11 SHALL INCLUDE THE FOLLOWING, IN THE FORM AND MANNER REQUIRED BY THE  
12 HEALTH OCCUPATIONS BOARD:

13 (I) PROOF THAT THE APPLICANT IS A SERVICE MEMBER,  
14 VETERAN, OR MILITARY SPOUSE;

15 (II) PROOF THAT THE APPLICANT HOLDS A VALID LICENSE,  
16 CERTIFICATE, OR REGISTRATION IN GOOD STANDING ISSUED IN ANOTHER STATE;

17 (III) IF THE APPLICANT IS A SERVICE MEMBER OR VETERAN,  
18 PROOF THAT THE APPLICANT IS ASSIGNED TO A DUTY STATION IN THE STATE OR  
19 HAS ESTABLISHED LEGAL RESIDENCE IN THE STATE;

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

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

23 2. IF THE APPLICANT IS A SURVIVING SPOUSE  
24 DESCRIBED UNDER § 1-701(C)(2) OF THIS SUBTITLE, THE MILITARY SPOUSE HAS  
25 ESTABLISHED LEGAL RESIDENCE IN THE STATE;

26 (V) IF A CRIMINAL HISTORY RECORDS CHECK IS REQUIRED BY  
27 THE HEALTH OCCUPATIONS BOARD FOR LICENSURE, CERTIFICATION, OR  
28 REGISTRATION, PROOF OF APPLICATION FOR A CRIMINAL HISTORY RECORDS  
29 CHECK;

30 (VI) PROOF THAT THE APPLICANT HAS SUBMITTED AN  
31 APPLICATION FOR FULL LICENSURE, CERTIFICATION, OR REGISTRATION; AND

1 (VII) PAYMENT OF ANY APPLICATION FEE REQUIRED BY THE  
2 HEALTH OCCUPATIONS BOARD.

3 (4) BEFORE ISSUING A TEMPORARY LICENSE UNDER THIS  
4 SUBSECTION, THE HEALTH OCCUPATIONS BOARD SHALL DETERMINE THAT THE  
5 REQUIREMENTS FOR LICENSURE, CERTIFICATION, OR REGISTRATION IN THE OTHER  
6 STATE ARE SUBSTANTIALLY EQUIVALENT TO OR EXCEED THE REQUIREMENTS FOR  
7 LICENSURE, CERTIFICATION, OR REGISTRATION IN THE STATE.

8 (B) (1) A HEALTH OCCUPATIONS BOARD MAY APPLY TO THE SECRETARY  
9 FOR APPROVAL OF AN ALTERNATIVE PROCESS FOR LICENSURE, CERTIFICATION, OR  
10 REGISTRATION THAT DOES NOT MEET THE REQUIREMENTS OF SUBSECTION (A) OF  
11 THIS SECTION BUT THAT ALLOWS SERVICE MEMBERS, VETERANS, AND MILITARY  
12 SPOUSES TO OBTAIN A LICENSE, CERTIFICATE, OR REGISTRATION UNDER THIS  
13 ARTICLE IN AN EXPEDITED MANNER THAT MEETS THE GOALS OF SUBSECTION (A) OF  
14 THIS SECTION.

15 (2) IF THE SECRETARY APPROVES AN ALTERNATIVE PROCESS FOR  
16 LICENSURE, CERTIFICATION, OR REGISTRATION UNDER PARAGRAPH (1) OF THIS  
17 SUBSECTION, THE HEALTH OCCUPATIONS BOARD SHALL BE CONSIDERED TO HAVE  
18 FULFILLED THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION.

19 1-702.2.

20 (A) SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, A HEALTH  
21 OCCUPATIONS BOARD MAY ISSUE A TEMPORARY LICENSE, CERTIFICATE, OR  
22 REGISTRATION TO A SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE WHO HOLDS  
23 A VALID LICENSE, CERTIFICATE, OR REGISTRATION IN GOOD STANDING ISSUED IN  
24 ANOTHER STATE FOR WHICH THE REQUIREMENTS FOR LICENSURE, CERTIFICATION,  
25 OR REGISTRATION ARE NOT SUBSTANTIALLY EQUIVALENT TO THE REQUIREMENTS  
26 IN THE STATE.

27 (B) A TEMPORARY LICENSE, CERTIFICATE, OR REGISTRATION ISSUED  
28 UNDER THIS SECTION AUTHORIZES THE SERVICE MEMBER, VETERAN, OR MILITARY  
29 SPOUSE, FOR A LIMITED PERIOD OF TIME AS DETERMINED BY THE HEALTH  
30 OCCUPATIONS BOARD, TO PERFORM SERVICES REGULATED BY THE HEALTH  
31 OCCUPATIONS BOARD WHILE THE SERVICE MEMBER, VETERAN, OR MILITARY  
32 SPOUSE COMPLETES THE REQUIREMENTS FOR LICENSURE, CERTIFICATION, OR  
33 REGISTRATION IN THE STATE.

34 (C) A HEALTH OCCUPATIONS BOARD MAY NOT ISSUE A LICENSE,  
35 CERTIFICATE, OR REGISTRATION UNDER THIS SECTION IF ISSUANCE OF THE

1 LICENSE, CERTIFICATE, OR REGISTRATION WOULD POSE A RISK TO PUBLIC HEALTH,  
2 WELFARE, OR SAFETY.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2021.