

SENATE BILL 230

J2

2lr1601
CF HB 112

By: ~~Senator Jackson~~ **Senators Jackson, Hester, and Carozza**

Introduced and read first time: January 13, 2022

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 22, 2022

CHAPTER _____

1 AN ACT concerning

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

4 FOR the purpose of requiring health occupations boards to issue ~~a~~ an expedited temporary
5 license, certificate, registration, or permit to a service member, veteran, or military
6 spouse who meets certain requirements; ~~prohibiting a health occupations board from~~
7 ~~issuing a certain temporary license, certificate, registration, or permit if the issuance~~
8 ~~would pose a risk to public health, welfare, or safety~~ requiring each health
9 occupations board to include a check-off box prominently on a license, certification,
10 or registration application form; requiring the Maryland Department of Health to
11 publish prominently certain information on its website; and generally relating to
12 temporary health occupational licensure, certification, registration, and permitting
13 requirements for service members, veterans, and military spouses.

14 BY repealing and reenacting, with amendments,
15 Article – Health Occupations
16 Section 1-701, 1-704, and 1-705
17 Annotated Code of Maryland
18 (2021 Replacement Volume)

19 BY adding to
20 Article – Health Occupations
21 Section 1-702.1 ~~and 1-702.2~~
22 Annotated Code of Maryland
23 (2021 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Health Occupations**

4 1–701.

5 (a) In this subtitle the following words have the meanings indicated.

6 (b) “Health occupations board” means a board authorized to issue a license,
7 certificate, or registration under this article.

8 (c) (1) “Military spouse” means the spouse of a service member or veteran.

9 (2) “Military spouse” includes a surviving spouse of:

10 (i) A veteran; or

11 (ii) A service member who died within ~~1-year~~ **3 YEARS** before the
12 date on which:

13 **1. FOR THE PURPOSES OF §§ 1–702 AND 1–703**
14 **THROUGH 1–705 OF THIS SUBTITLE, the application for a FULL license, certificate, or**
15 **registration is submitted; OR**

16 **2. FOR THE PURPOSES OF ~~§§ 1–702.1 AND 1–702.2~~ §**
17 **1–702.1 OF THIS SUBTITLE, THE APPLICATION FOR A TEMPORARY LICENSE,**
18 **CERTIFICATE, REGISTRATION, OR PERMIT IS SUBMITTED.**

19 (d) “Service member” means an individual who is an active duty member of:

20 (1) The ~~armed forces of the United States~~ **UNIFORMED SERVICES, AS**
21 **DEFINED BY 10 U.S.C. § 101;**

22 (2) A reserve component of the armed forces of the United States; or

23 (3) The National Guard of any state.

24 (e) (1) “Veteran” means a former service member who was discharged from
25 active duty under circumstances other than dishonorable within 1 year before the date on
26 which:

27 **(I) FOR THE PURPOSES OF §§ 1–702 AND 1–703 THROUGH**
28 **1–705 OF THIS SUBTITLE, the application for a FULL license, certificate, or registration**
29 **is submitted; OR**

1 **(II) FOR THE PURPOSES OF ~~§§ 1-702.1 AND 1-702.2~~ § 1-702.1**
2 **OF THIS SUBTITLE, THE APPLICATION FOR A TEMPORARY LICENSE, CERTIFICATE,**
3 **REGISTRATION, OR PERMIT IS SUBMITTED.**

4 (2) “Veteran” does not include an individual who has completed active duty
5 and has been discharged for more than 1 year before:

6 **(I) FOR THE PURPOSES OF §§ 1-702 AND 1-703 THROUGH**
7 **1-705 OF THIS SUBTITLE, the application for a FULL license, certificate, or registration**
8 **is submitted; OR**

9 **(II) FOR THE PURPOSES OF ~~§§ 1-702.1 AND 1-702.2~~ § 1-702.1**
10 **OF THIS SUBTITLE, THE APPLICATION FOR A TEMPORARY LICENSE, CERTIFICATE,**
11 **REGISTRATION, OR PERMIT IS SUBMITTED.**

12 **1-702.1.**

13 **(A) (1) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, EACH**
14 **HEALTH OCCUPATIONS BOARD SHALL ISSUE AN EXPEDITED TEMPORARY LICENSE,**
15 **CERTIFICATE, REGISTRATION, OR PERMIT TO A SERVICE MEMBER, VETERAN, OR**
16 **MILITARY SPOUSE WHO MEETS THE REQUIREMENTS OF THIS SUBSECTION.**

17 **(2) A TEMPORARY LICENSE, CERTIFICATE, REGISTRATION, OR**
18 **PERMIT ISSUED UNDER THIS SUBSECTION IS VALID UNTIL THE EARLIER OF:**

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

20 **(II) THE DATE ON WHICH A LICENSE, CERTIFICATE,**
21 **REGISTRATION, OR PERMIT IS GRANTED OR A NOTICE TO DENY A LICENSE,**
22 **CERTIFICATE, REGISTRATION, OR PERMIT IS ISSUED BY THE HEALTH OCCUPATIONS**
23 **BOARD.**

24 **(3) AN APPLICATION FOR A TEMPORARY LICENSE, CERTIFICATE,**
25 **REGISTRATION, OR PERMIT TO PRACTICE A HEALTH OCCUPATION UNDER THIS**
26 **SUBSECTION SHALL INCLUDE THE FOLLOWING, IN THE FORM AND MANNER**
27 **REQUIRED BY THE HEALTH OCCUPATIONS BOARD:**

28 **(I) PROOF THAT THE APPLICANT IS A SERVICE MEMBER,**
29 **VETERAN, OR MILITARY SPOUSE, INCLUDING:**

30 **1. FOR A SERVICE MEMBER OR VETERAN, A DD FORM**
31 **214, PERMANENT CHANGE OF STATION ORDERS, OR A COMMON ACCESS CARD**
32 **ISSUED BY THE U.S. DEPARTMENT OF DEFENSE; OR**

1 2. FOR A MILITARY SPOUSE, A MARRIAGE CERTIFICATE
2 AND ONE OF THE FORMS OF IDENTIFICATION LISTED IN ITEM 1 OF THIS ITEM;

3 (II) PROOF THAT:

4 1. THE APPLICANT HAS HELD A VALID LICENSE,
5 CERTIFICATE, REGISTRATION, OR PERMIT IN GOOD STANDING ISSUED IN ANOTHER
6 STATE FOR AT LEAST 1 YEAR; ~~AND~~

7 2. EACH VALID LICENSE, CERTIFICATE, REGISTRATION,
8 OR PERMIT HELD BY THE APPLICANT ISSUED IN ANOTHER STATE IS IN GOOD
9 STANDING; AND

10 3. EACH VALID LICENSE, CERTIFICATE, REGISTRATION,
11 OR PERMIT HELD BY THE APPLICANT REQUIRED SUBSTANTIALLY SIMILAR
12 QUALIFICATIONS AS THE LICENSE, CERTIFICATE, REGISTRATION, OR PERMIT FOR
13 WHICH THE APPLICANT HAS APPLIED, AS DETERMINED BY THE HEALTH
14 OCCUPATIONS BOARD;

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

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

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

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

24 (V) ~~1. PROOF OF APPLICATION FOR A NATIONAL CRIMINAL~~
25 ~~HISTORY RECORDS CHECK; OR~~

26 ~~2. THE RESULTS OF A NATIONAL CRIMINAL HISTORY~~
27 ~~RECORDS CHECK COMPLETED WITHIN 1 YEAR BEFORE THE DATE OF APPLICATION~~
28 PROOF THAT THE APPLICANT HAS COMPLETED A NATIONAL CRIMINAL HISTORY
29 RECORDS CHECK IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE HEALTH
30 OCCUPATIONS BOARD;

1 (VI) PROOF THAT THE APPLICANT HAS SUBMITTED AN
2 APPLICATION FOR FULL LICENSURE, CERTIFICATION, REGISTRATION, OR
3 PERMITTING; AND

4 (VII) PAYMENT OF ANY APPLICATION FEE REQUIRED BY THE
5 HEALTH OCCUPATIONS BOARD.

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

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

18 ~~1-702.2.~~

19 ~~(A) SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, A HEALTH~~
20 ~~OCCUPATIONS BOARD MAY ISSUE A TEMPORARY LICENSE, CERTIFICATE,~~
21 ~~REGISTRATION, OR PERMIT TO A SERVICE MEMBER, VETERAN, OR MILITARY SPOUSE~~
22 ~~WHO HAS HELD A VALID LICENSE, CERTIFICATE, REGISTRATION, OR PERMIT IN~~
23 ~~GOOD STANDING ISSUED IN ANOTHER STATE FOR LESS THAN 1 YEAR IF EACH VALID~~
24 ~~LICENSE, CERTIFICATE, REGISTRATION, OR PERMIT HELD BY THE SERVICE~~
25 ~~MEMBER, VETERAN, OR MILITARY SPOUSE IS IN GOOD STANDING.~~

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

33 ~~(C) A HEALTH OCCUPATIONS BOARD MAY NOT ISSUE A LICENSE,~~
34 ~~CERTIFICATE, REGISTRATION, OR PERMIT UNDER THIS SECTION IF ISSUANCE OF~~
35 ~~THE LICENSE, CERTIFICATE, REGISTRATION, OR PERMIT WOULD POSE A RISK TO~~
36 ~~PUBLIC HEALTH, WELFARE, OR SAFETY.~~

1 1-704.

2 (a) [(1) Each health occupations board shall [develop]:

3 (1) DEVELOP a procedure by which an individual who applies for a license,
4 certificate, or registration can notify the board that the individual is a service member,
5 veteran, or military spouse[.]; AND

6 (2) [A health occupations board may satisfy the requirement of paragraph
7 (1) of this subsection by including] INCLUDE a check-off box PROMINENTLY on [a] EACH
8 license, certificate, or registration application form.

9 (b) For each applicant who is a service member, veteran, or military spouse, a
10 health occupations board shall assign to the applicant an advisor to assist the individual
11 with the application process.

12 (c) (1) Each health occupations board shall expedite the process for the
13 licensure, certification, or registration of a service member, veteran, or military spouse.

14 (2) If a service member, veteran, or military spouse meets the
15 requirements for licensure, certification, or registration, a health occupations board shall
16 issue the license, certificate, or registration within 15 business days after receiving a
17 completed application.

18 (d) If a health occupations board determines that a service member, veteran, or
19 military spouse does not meet the education, training, or experience requirements for
20 licensure, certification, or registration, a representative of the board shall assist the service
21 member, veteran, or military spouse in identifying:

22 (1) Programs that offer relevant education or training; or

23 (2) Ways of obtaining needed experience.

24 (E) ON OR BEFORE JANUARY 1 EACH YEAR, BEGINNING IN 2024, THE
25 DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH
26 § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE PROCESSING OF
27 APPLICATIONS FROM SERVICE MEMBERS, MILITARY SPOUSES, AND VETERANS,
28 INCLUDING, FOR THE IMMEDIATELY PRECEDING 12-MONTH PERIOD:

29 (1) FOR EACH HEALTH OCCUPATIONS BOARD:

30 (I) THE NUMBER OF APPLICATIONS RECEIVED FROM SERVICE
31 MEMBERS, MILITARY SPOUSES, AND VETERANS;

32 (II) THE NUMBER OF APPLICATIONS INCLUDED UNDER ITEM (I)
33 OF THIS ITEM THAT WERE PROCESSED;

1 **(III) THE NUMBER OF APPLICATIONS INCLUDED UNDER ITEM (I)**
2 **OF THIS ITEM THAT WERE NOT PROCESSED; AND**

3 **(IV) FOR THE APPLICATIONS INCLUDED UNDER ITEM (III) OF**
4 **THIS ITEM, THE REASON WHY PROCESSING WAS DELAYED; AND**

5 **(2) IF A HEALTH OCCUPATIONS BOARD RECEIVED APPLICATIONS**
6 **FROM SERVICE MEMBERS, MILITARY SPOUSES, AND VETERANS THAT WERE NOT**
7 **PROCESSED, THE PLAN OF THE HEALTH OCCUPATIONS BOARD TO IMPROVE THE**
8 **PROCESSING OF APPLICATIONS FROM SERVICE MEMBERS, MILITARY SPOUSES, AND**
9 **VETERANS.**

10 1-705.

11 **(A) Each health occupations board shall publish prominently on its website**
12 **information on:**

13 **(1) The expedited licensing process available to service members, veterans,**
14 **and military spouses under § 1-704 of this subtitle; and**

15 **(2) Any assistance and services related to licensure, certification, or**
16 **registration provided by the board to service members, veterans, and military spouses.**

17 **(B) THE DEPARTMENT SHALL PUBLISH PROMINENTLY ON ITS WEBSITE THE**
18 **INFORMATION THAT EACH HEALTH OCCUPATIONS BOARD IS REQUIRED TO PUBLISH**
19 **UNDER SUBSECTION (A) OF THIS SECTION.**

20 **SECTION 2. AND BE IT FURTHER ENACTED, That, on or before June 1, 2023,**
21 **the Maryland Department of Health shall report to the General Assembly, in accordance**
22 **with § 2-1257 of the State Government Article, on the procedures developed by each health**
23 **occupations board under § 1-704 of the Health Occupations Article, as enacted by Section**
24 **1 of this Act.**

25 **SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect**
26 **October 1, 2022.**