



MANPOWER AND
RESERVE AFFAIRS

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Senator Paul G. Pinsky
Chair, Education, Health and Environmental Affairs Committee

Remarks of
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Support of: SB938 - Health Occupations – Service Members, Veterans, and Military Spouses – Temporary Licensure, Certification, and Registration

Testimony

Chairman and honorable committee members, the Department of Defense is grateful for the opportunity to offer its strongest possible endorsement of the policies set forth in Senate Bill 938, an act regarding a requirement for health occupations boards to issue a temporary expedited license, certificate, or registration to a service member, veteran, or military spouse who meet certain requirements.

My name is Christopher Arnold. I am the northeast region liaison at the DoD-State Liaison Office, operating under the direction of Under Secretary of Defense for Personnel and Readiness. We represent the Department and establish relationships with state leaders across the country who are concerned for troops and their families' welfare by harmonizing state and federal law and regulation on policy problems of national significance. These are identified by the Office of the Secretary of Defense, the Military Departments, and the National Guard Bureau as areas where states can play a crucial role.

This legislation echoes the historic 2020 military spouse legislation from Senate President Bill Ferguson that eased application requirements for a service member, veteran, or military spouse who applies for an occupational or professional license. The President's bill, Chap 177, enacted revisions to reciprocity requirements for occupations and professions regulated by the Division of Occupational and Professional Licensing, removing the requirement for a substantial equivalency determination. This bill makes identical changes for occupations and professions governed by the Health Professional Licensing Boards.

In a letter to Governor Hogan accompanying the Secretary of Defense's 2019 report on military spouse licensure, the Department noted that "*Current law requires boards to evaluate the substantial equivalency of the applicant's application prior to issuing the temporary license, which likely requires the verifying documentation for the review. Limiting this requirement to issuance of the permanent license, or stipulating that the boards perform their initial due diligence using an application, and an affidavit, would limit the time and effort required of the*

military spouse applicant.”¹ While Chapter 177 addressed such recommendation, it did not apply to the health occupations.

The Secretaries of the Military Departments have made the importance of military spouse licensure explicitly clear as they consider the availability of license reciprocity when evaluating future basing or mission alternatives. This consideration was codified by Congress as a requirement in the 2020 National Defense Authorization Act.² Notably, NDAA §2883(h)

¹ Department of Defense. *Military Spouse Licensure: State Best Practices and Strategies for Achieving Reciprocity*. November 2019. <https://download.militaryonesource.mil/12038/MOS/Reports/military-spouse-licensure-report-2019.pdf>

² **2883. Consideration of certain military family readiness issues in making basing decisions associated with certain military units and major headquarters**

(a) Taking into consideration military family readiness issues

In determining whether to proceed with any basing decision associated with a covered military unit or major headquarters in the United States after the date of the enactment of this Act, the Secretary of the military department concerned shall take into account, among such other factors as that Secretary considers appropriate, the military family readiness considerations specified in this section, including those military family readiness considerations specified pursuant to subsection (e).

(b) Interstate portability of licensure and certification credentials

With regard to the State in which an installation subject to a basing decision covered by subsection (a) is or will be located, the Secretary of the military department concerned shall take into account the extent to which the State—

(1) has entered into reciprocity agreements to recognize and accept professional and occupational licensure and certification credentials granted by or in other States; or

(2) allows for the transfer of such licenses and certifications granted by or in other States.

(c) Housing

With regard to the military housing area in which an installation subject to a basing decision covered by subsection (a) is or will be located, the Secretary of the military department concerned shall take into account the extent to which housing (including military family housing) that meets Department of Defense requirements is available and accessible to members of the Armed Forces through the private sector in such military housing area.

(d) Health care

With regard to the community in which an installation subject to a basing decision covered by subsection (a) is or will be located, the Secretary of the military department concerned shall take into account the extent to which primary healthcare and specialty healthcare is available and accessible to dependents, including dependents with disabilities, of members of the Armed Forces through the private sector in such local community.

(e) Other specified considerations

The Secretary of the military department concerned shall take into account such other considerations in connection with military family readiness as the Secretary of Defense shall specify for purposes of compliance with this section.

(f) Savings clause

Nothing in this section shall be construed as requiring the Secretary of a military department to make a basing decision covered by subsection (a) that the Secretary determines would diminish military readiness or impede military mission for the purpose of military family readiness.

(g) Analytical framework

The Secretary of the military department concerned shall take into account the considerations specified in this section, among such other factors as the Secretary considers appropriate, in determining whether to proceed with a basing decision covered by subsection (a) using an analytical framework developed by that Secretary that uses criteria based on—

(1) quantitative data available within the Department of Defense; and

(2) such reliable quantitative data from sources outside the Department as the Secretary considers appropriate.

requires the Department and each of the military services to produce annual basing decision scorecards at the state and installation level considering military family readiness issues, including interstate portability of licensure credentials.³

The secretaries must further consider “*whether the State in which an installation subject to a basing decision is or will be located ... has entered into reciprocity agreements to recognize and accept professional and occupational licensure and certification credentials granted by or in other States or allows for the transfer of such licenses and certifications granted by or in other States.*”⁴

A 2015 report by the Maryland Military Department found the largest 15 installations in the Old Line State support 410,219 jobs and generated \$20.5 billion in defense spending, or, roughly 5.7% of State GDP.⁵

Occupational licensure has been an enduring problem for military spouses. Obtaining a license in a new State can be both time consuming and expensive, and military spouses often cannot adequately anticipate how to prepare for licensure in a new State due to the unpredictable nature of military moves. The short duration of military assignments, coupled with lengthy relicensing

(h) Basing decision scorecard

(1) Scorecard required

The Secretary of the military department concerned shall establish a scorecard for military installations under the jurisdiction of such Secretary, and for States and localities in which such installations are or may be located, to facilitate taking into account the considerations specified in this section whenever that Secretary makes a basing decision covered by subsection (a).

(2) Update

The Secretary of the military department concerned shall update the scorecard established by that Secretary under this subsection not less frequently than once each year in order to keep the information in such scorecard as current as is practicable.

(3) Availability to public

A current version of each scorecard established under this subsection shall be available to the public through an Internet website of the military department concerned that is accessible to the public.

(i) Briefings

Not later than April 1 of each of 2021, 2022, and 2023, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on actions taken pursuant to this section, including a description and assessment of the effect of the taking into account of the considerations specified in this section on particular basing decisions in the United States during the one-year period ending on the date of the briefing.

(j) Definitions

In this section:

- (1) The term covered military unit means a unit of the Armed Forces whose initial assignment to a military installation or relocation from a military installation to a different military installation requires the preparation of an environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).
- (2) The term major headquarters means the headquarters of a unit of the Armed Forces or command that is the appropriate command of a general officer or flag officer.

³ Id. (h)

⁴ Id. (b)

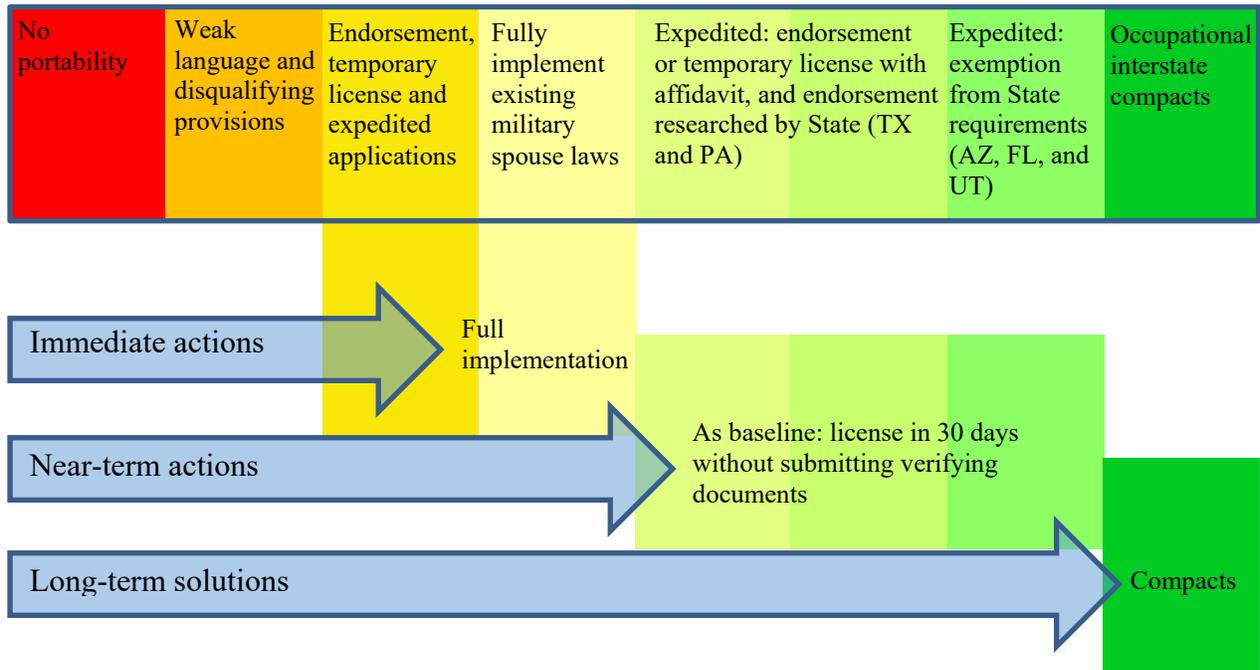
⁵ Department of Defense. *Military Spouse Licensure: State Best Practices and Strategies for Achieving Reciprocity*. November 2019. Retrieved from <https://download.militaryonesource.mil/12038/MOS/Reports/military-spouse-licensure-report-2019.pdf>

processes, can discourage military spouses from seeking relicensure, causing them to quit an occupation or causing military families to leave the military.

In 2013, Maryland passed Chap 154 and 155 regarding Service member licensure and credit for military training and education as well as expediting military spouse license applications. In 2019, Maryland passed Chap 312 requiring the expedited license to be issued within 60 days and posting of that timeline on agency websites. SB938 will extend the provisions of such laws to the health occupations, which were not encompassed in those prior acts.

Further changes to licensure to facilitate reciprocity in State licensure programs for military spouses will continue to take time to cover all occupations in all States. Complicating matters further, the term “reciprocity” is used differently among the States. The continuum of reciprocity related programs is represented graphically below. The continuum goes from red, representing little to no portability, to dark green, representing the DoD’s optimum state of full reciprocity.

Understanding that military spouses need assistance now, and that many States have already committed to a variety of approaches, the Department advocates that States should pursue multiple approaches to reciprocity simultaneously. Available alternatives can be categorized as being more immediately attainable, achievable within the near-term, or obtainable in the long-term:



The Department encourages States to engage in immediate actions to fully implement military spouse licensure laws, near-term actions to at least attain a baseline of getting military spouses a license in 30 days based on minimal documentation, and removing substantially equivalent language; and long-term solutions for reciprocity through compacts. How fast these actions and solutions can be approved and implemented is up to the States. SB938 will ensure this baseline for the health occupations.

To effectively evaluate whether an applicant's license is 'substantially equivalent' a board generally evaluates the coursework, test scores, and applicable practicum hours of the applicant, along with previously held licenses and work experience. This perpetuates the delays experienced by military spouses.⁶ SB938 would eliminate the requirement for agencies to determine whether the requirements for licensure in the other state are substantially equivalent to those in Maryland for the 29 licensing boards and commissions overseen by the Department of Health and Mental Hygiene. This will expedite the licensure process.

In closing, we are grateful for the tremendous efforts that Maryland has historically made to support our military members and their families. We appreciate the opportunity to support the policy reflected in SB938 and are especially grateful to the Senator Peters for introducing this important piece of legislation. As always, as Northeast Region Liaison, I stand ready to answer whatever questions you may have.

Yours etc.,

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⁶ National Conference of State Legislatures, National Governors Association, and the Council of State Governments. Occupational Licensing Final Report, Assessing State Policies and Practices. December 2020. Retrieved from https://www.ncsl.org/Portals/1/Documents/Labor/NCSL_DOL_Report_05_web_REVISED.pdf