

2SHB 2303 - H AMD 1669

By Representative Leavitt

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** This act may be known and cited as the
4 serve act.

5 **Sec. 2.** RCW 18.340.010 and 2011 2nd sp.s. c 5 s 1 are each
6 amended to read as follows:

7 The lives of military families are dominated by frequent
8 deployments, relocations, and extended periods of single parenthood.
9 ((Military)) Service members and their spouses are some of the most
10 mobile populations in our country, making the maintenance of
11 professional licenses a significant obstacle. According to the
12 ((2010)) 2019 defense management data center, there are ((thirty-
13 three thousand three hundred eighty active duty and ten thousand
14 eight hundred thirty-seven)) more than eighty thousand active duty
15 and reserve service members and nearly forty thousand active duty and
16 reserve military spouses residing in Washington. Military families
17 depend on two incomes and want to achieve their career goals and
18 aspirations. It is the intent of the legislature to recognize the
19 sacrifices made by military families in service to our country and
20 our state and to help alleviate the ((hardships)) career turmoil
21 military families face due to their highly transient life.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.340
23 RCW to read as follows:

24 (1) For the purposes of this section:

25 (a) "Active duty military spouse" means any person currently
26 married to someone who is an active or reserve member in any branch
27 of the armed forces of the United States, including the national
28 guard, coast guard, and armed forces reserves.

29 (b) "Authority" means any board, commission, or other authority
30 for issuance of a license, certificate, registration, or permit under

1 this title. "Authority" does not include the department of labor and
2 industries.

3 (c) "Provisional license" means a provisional license,
4 certificate, registration, or permit that authorizes a person to
5 perform the full range of activities allowed with a standard license,
6 certificate, registration, or permit for a period of three years, or
7 the duration of a standard license, certificate, registration, or
8 permit if less than three years. A provisional license issued by the
9 department of health is valid for one year.

10 (d) "Standard license" means the license, certificate,
11 registration, or permit to perform professional services regulated by
12 an authority under this title.

13 (2) By January 1, 2021, the authority shall establish procedures
14 to issue a provisional license to perform professional services
15 regulated by the authority to a member of the armed forces of the
16 United States or an active duty military spouse who is:

17 (a) Currently holding in good standing a license, certificate,
18 registration, or permit to perform professional services in another
19 state, in the District of Columbia, or issued by an agency, bureau,
20 or department of the United States government;

21 (b) Stationed, or is the spouse of a member of the armed forces
22 who is stationed, in Washington; and

23 (c) Unable to engage in the practice of the profession through an
24 interstate compact, reciprocity, or similar agreement.

25 (3) An application for a provisional license must be made in a
26 form and manner as determined by the authority and include:

27 (a) A copy of the applicant's current license, certificate,
28 registration, or permit from another state, the District of Columbia,
29 or an agency, bureau, or department of the United States government;

30 (b) A copy of the applicable permanent change-of-station orders;

31 (c) A statement signed by the applicant under penalty of perjury
32 that he or she meets the qualifications for a provisional license and
33 is not subject to any pending investigation, charges, or disciplinary
34 action by the regulatory body of the other jurisdiction or
35 jurisdictions;

36 (d) An application for a criminal background check, if required
37 for a standard license for the same profession;

38 (e) Proof of national certification or successful completion of a
39 national examination, where applicable; and

1 (f) For real estate licensees under chapter 18.85 RCW, proof of
2 successful completion of the state portion of the knowledge
3 examination.

4 (4) The authority shall charge a fee for a provisional license
5 that is equal to the fee for a standard license. If a provisional
6 license is valid for a shorter time period than a standard license,
7 the authority shall prorate the fee accordingly.

8 (5) The authority must make an eligibility determination within
9 forty-five days of receipt of a complete application for a
10 provisional license.

11 (6) The authority may act to deny or limit a provisional license
12 using the same procedures for a standard license for the same
13 profession.

14 (7) If the authority determines that an applicant for a
15 provisional license holds a license from a jurisdiction with
16 substantially equivalent requirements, the authority shall issue a
17 standard license.

18 (8) If a person issued a provisional license subsequently meets
19 the requirements for a standard license, the authority may issue the
20 person a standard license.

21 (9) A person may not renew a provisional license. Prior to
22 expiration of a provisional license, the person must obtain a
23 standard license.

24 (10) The authority may investigate and take disciplinary action
25 against a person or the person's provisional license using the same
26 procedures for a standard license for the same profession.

27 (11) If a person with a provisional license no longer meets the
28 qualifications under subsection (2) of this section or becomes
29 subject to any pending investigation, charges, or disciplinary action
30 by a regulatory body of another jurisdiction or the license,
31 certification, registration, or permit issued by another jurisdiction
32 is terminated or no longer valid, the person must:

33 (a) Immediately cease engaging in the practice of the profession
34 in Washington; and

35 (b) Report to the authority within thirty days the change in
36 qualifications, licensing status, or pending investigation, charges,
37 or disciplinary action.

38 (12) In addition to the requirements of this section, RCW
39 18.130.064 applies to a member of the armed forces or an active duty
40 military spouse engaging in the practice of a health profession.

1 (13) By December 1, 2021, and biennially thereafter, each
2 authority must submit a report to the appropriate committees of the
3 legislature. The report must include the following information about
4 provisional licenses and applications under this section and section
5 4 of this act:

6 (a) The number of applications received by profession;

7 (b) The number of applications approved by profession and the
8 length of time between receipt of a completed application by the
9 licensing authority and the issuance of a provisional license;

10 (c) The number of provisional license holders who were
11 subsequently issued a standard license and the length of time the
12 provisional license was valid prior to issuance of a standard
13 license;

14 (d) The number of provisional license holders who notified the
15 licensing authority that they no longer met the qualifications for
16 the license and the length of time the license was valid prior to
17 that notification; and

18 (e) The number and nature of complaints filed, if any, against a
19 member of the armed forces or a military spouse engaging in the
20 practice of a profession with a provisional license.

21 (14) By September 1, 2020, and in compliance with RCW 43.01.036,
22 the department of labor and industries must submit a report to the
23 joint committee on veterans and military affairs with a plan to
24 implement provisional licenses for service members and active duty
25 military spouses for all professions regulated by the department of
26 labor and industries by January 1, 2021.

27 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.24
28 RCW to read as follows:

29 (1) For the purposes of this section:

30 (a) "Active duty military spouse" means any person currently
31 married to someone who is an active or reserve member in any branch
32 of the armed forces of the United States, including the national
33 guard, coast guard, and armed forces reserves.

34 (b) "Department" means the department of licensing.

35 (c) "Provisional license" means a provisional license,
36 certificate, registration, or permit that authorizes a person to
37 perform the full range of activities allowed with a standard license,
38 certificate, registration, or permit for a period of three years, or

1 the duration of a standard license, certificate, registration, or
2 permit if less than three years.

3 (d) "Standard license" means the license, certificate,
4 registration, or permit to perform professional services regulated by
5 an authority under this title.

6 (2) By January 1, 2021, the department shall establish procedures
7 to issue a provisional license to perform professional services
8 regulated by the department to a member of the armed forces of the
9 United States or an active duty military spouse who is:

10 (a) Currently holding in good standing a license, certificate,
11 registration, or permit to perform professional services in another
12 state, in the District of Columbia, or issued by an agency, bureau,
13 or department of the United States government;

14 (b) Stationed, or is the spouse of a member of the armed forces
15 who is stationed, in Washington; and

16 (c) Unable to engage in the practice of the profession through an
17 interstate compact, reciprocity, or similar agreement.

18 (3) An application for a provisional license must be made in a
19 form and manner as determined by the department and include:

20 (a) A copy of the applicant's current license, certificate,
21 registration, or permit from another state, the District of Columbia,
22 or an agency, bureau, or department of the United States government;

23 (b) A copy of the applicable permanent change-of-station orders;

24 (c) A statement signed by the applicant under penalty of perjury
25 that he or she meets the qualifications for a provisional license and
26 is not subject to any pending investigation, charges, or disciplinary
27 action by the regulatory body of the other jurisdiction or
28 jurisdictions;

29 (d) An application for a criminal background check, if required
30 for a standard professional license for the same profession; and

31 (e) Proof of national certification or successful completion of a
32 national examination, where applicable; and

33 (f) For real estate licensees under chapter 18.85 RCW, proof of
34 successful completion of the state portion of the knowledge
35 examination.

36 (4) The department shall charge a fee for a provisional license
37 that is equal to the fee for a standard license for the same
38 profession. If a provisional license is valid for a shorter time
39 period than a standard license, the authority shall prorate the fee
40 accordingly.

1 (5) The department must make an eligibility determination within
2 forty-five days of receipt of a complete application for a
3 provisional license.

4 (6) The department may act to deny or limit a provisional license
5 using the same procedures for a standard license for the same
6 profession.

7 (7) If the department determines that an applicant for a
8 provisional license holds a license from a jurisdiction with
9 substantially equivalent requirements, the department shall issue a
10 standard license.

11 (8) If a person issued a provisional license subsequently meets
12 the requirements for a standard license, the department may issue the
13 person a standard license.

14 (9) A person may not renew a provisional license. Prior to
15 expiration of a provisional license, the person must obtain a
16 standard license.

17 (10) The department may investigate and take disciplinary action
18 against a person or the person's provisional license using the same
19 procedures for a standard license for the same profession.

20 (11) If a person with a provisional license no longer meets the
21 qualifications under subsection (2) of this section or becomes
22 subject to any pending investigation, charges, or disciplinary action
23 by a regulatory body of another jurisdiction or the license,
24 certification, registration, or permit issued by another jurisdiction
25 is terminated or no longer valid, the person must:

26 (a) Immediately cease engaging in the practice of the profession
27 in Washington; and

28 (b) Report to the department within thirty days the change in
29 qualifications, licensing status, or pending investigation, charges,
30 or disciplinary action.

31 NEW SECTION. **Sec. 5.** A new section is added to chapter 18.340
32 RCW to read as follows:

33 The employment security department, the department of health, the
34 department of labor and industries, the department of licensing, and
35 the department of veterans affairs shall each maintain a military
36 assistance web page containing the department's rules, regulations,
37 and procedures related to the professional licensing of veterans,
38 members of the armed services, and military spouses and links to the
39 military assistance web pages of other state agencies. A direct link

1 to the agency's military assistance web page must be displayed on the
2 agency's home page."

3 Correct the title.

EFFECT: (1) Excludes the Department of Labor and Industries (L&I) from the requirements for issuing provisional licenses to service members and active duty military spouses.

(2) Requires the L&I to submit a report by September 1, 2020, to the Joint Committee on Veterans and Military Affairs with a plan to implement, by January 1, 2021, provisional licenses for service members and active duty military spouses.

(3) Requires real estate licensees to submit proof of successful completion of the state portion of the knowledge examination as a qualification to obtain a provisional license.

(4) Defines "provisional license" and "standard license" to include "license, certificate, registration, or permit" and removes duplicate references to "certificate, registration, or permit."

(5) Requires state licensing authorities to submit a report to the Legislature with additional information about provisional licenses and applications.

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