

# HOUSE BILL REPORT

## HB 2534

---

**As Reported by House Committee On:**  
Housing, Community Development & Veterans

**Title:** An act relating to provisional professional licenses for service members and military spouses.

**Brief Description:** Creating provisional professional licenses for service members and military spouses.

**Sponsors:** Representatives Dufault, Vick, Santos, Hoff, Walen, Ybarra, Barkis, Corry, Paul, Duerr, Caldier, Gildon, Volz, Ormsby and Van Werven.

**Brief History:**

**Committee Activity:**

Housing, Community Development & Veterans: 1/29/20, 1/31/20 [DPS].

**Brief Summary of Substitute Bill**

- Requires the Department of Licensing to issue provisional professional licenses for service members and military spouses stationed in Washington.

---

### HOUSE COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT & VETERANS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Ryu, Chair; Morgan, Vice Chair; Jenkin, Ranking Minority Member; Gildon, Assistant Ranking Minority Member; Barkis, Frame, Johnson, J., Leavitt and Ramel.

**Staff:** Serena Dolly (786-7150).

**Background:**

Professional Licensing.

Washington regulates a variety of businesses and professions. A business or profession may be regulated directly by an agency or under a board, commission, or other authority that may have sole or shared jurisdiction. Each regulated business and profession has a separate set of

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

laws. Many professions have provisions for some form of reciprocity for licensees from other states.

Requirements for a professional license, certificate, registration, or permit vary considerably. Some professions may require:

- college level coursework;
- experience;
- an examination;
- some type of background check;
- a surety bond, insurance, or other minimum financial standards;
- minimum safety standards;
- continuing education for licensees; or
- duties of care for clients.

#### Professions in Title 18 RCW.

Title 18 RCW includes the regulation of a broad array of businesses and professions.

Authorities that issue licenses, certificates, registrations, or permits to individuals under Title 18 RCW include the following:

- The Department of Health (DOH) directly regulates or collaborates with a board or commission to oversee health professions, including physicians, nurses, and dentists.
- The Department of Licensing (DOL) directly regulates or collaborates with a board or commission to oversee a wide variety of professions, including architects, cosmetologists, and funeral directors.
- The Department of Labor and Industries (LNI) regulates contractors and plumbers.
- The Board of Accountancy oversees certified public accountants.
- The Department of Ecology regulates persons licensed to dig wells.
- The Department of Financial Institutions regulates escrow agents.
- The State Director of Fire Protection, an appointee of the Chief of the Washington State Patrol, oversees persons licensed or certified to perform services related to fire protection sprinkler systems, including fire protection sprinkling fitters.
- County auditors register process servers.

#### Professions Outside of Title 18 RCW.

Additional professions are regulated outside of Title 18 RCW. This includes a number of professions regulated by the DOL including:

- notary publics;
- driver training instructors;
- timeshare salespersons; and
- a number of categories related to professional athletics.

The LNI also regulates professions outside of Title 18 RCW. These include:

- electricians;
- elevator mechanics and contractors; and
- boiler pressure/vessel commissioning.

Other authorities also regulate professions outside of Title 18 RCW including:

- the Washington Professional Educator Standards Board for certification of teachers in this state;

- the Washington State Bar Association for attorneys and legal technicians;
- the Department of Children, Youth, and Families for child care providers; and
- the Department of Social and Health Services for medical interpreters.

#### Expedited Professional Licensing for Military Spouses.

A licensing authority that issues certain professional licenses, certificates, registrations, or permits must expedite the right of qualified military spouses to provide professional services.

A qualified military spouse is a person who:

- is certified or licensed to perform professional services in another state;
- has a spouse that is transferred by the military to this state; and
- left employment in the other state to join their spouse in this state.

Licenses that must be expedited include a broad range of occupations under Title 18 RCW and other statutes.

The procedures must include a process for issuing the person a license, certificate, registration, or permit if, in the opinion of the authority, the requirements for licensure, certification, registration, or obtaining a permit of the other state are substantially equivalent to the requirements of this state.

Each licensing authority must develop a method to authorize a person who meets the established criteria to receive a temporary license. The temporary license allows the person to perform services regulated by the authority while completing any specific requirements that may be required in this state that were not required in the other state, unless the authority finds that the requirements of the other state are substantially unequal to the standards in this state.

#### Annual Reporting.

The DOL and the DOH are required to report on their efforts to implement legislation modifying professional licensing procedures for military spouses and veterans:

- in a biennial report to the Legislature;
- in an annual report to the Military Transition Council; and
- annually before the Joint Committee on Veterans and Military Affairs.

---

#### **Summary of Substitute Bill:**

By January 1, 2021, the DOL must establish procedures to issue a provisional license, certificate, registration, or permit to perform professional services to a member of the armed forces or an active duty military spouse who is licensed and in good standing in another state and stationed in Washington.

The provisional license, certificate, registration, or permit provides immediate authorization to perform the full range of activities allowed with a standard license, certificate, registration, or permit for a period of three years, or the duration of a standard license, certificate, registration, or permit if less than three years.

An applicant must state in the application that he or she:

- has requested verification from the other state or states that the person is currently licensed, certified, or registered, or has a permit; and
- is not subject to any pending investigation, charges, or disciplinary action by the regulatory body of the other state or states.

If the DOL finds reasonable cause to believe that an applicant made a false assertion concerning one of the required application statements, the DOL may suspend the provisional license, certificate, registration, or permit pending an investigation or further disciplinary action or revocation.

The provisional license requirements do not apply to any profession with a national reciprocity agreement in place.

**Substitute Bill Compared to Original Bill:**

The substitute bill excludes from the provisional license requirements any profession with a national reciprocity agreement in place.

---

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Military duty station changes come with bureaucratic and administrative hurdles. This is another approach to addressing issues for service members and military spouses when obtaining professional licenses. This bill applies only to professions regulated by the DOL. Provisional licensing follows best practice guidelines from United States Department of Defense and standards already used in other states. Military spouses often need a professional license to work. Limiting the requirements to the DOL allows spouses to get to work in many professions, including cosmetology. Military commanders recently sent a letter to the Governor asking for improvements to the professional licensing of military spouses.

(Opposed) The DOL already has a reciprocity agreement in place for appraisers. If licensed in another state, appraisers already can get a license within 10 days. Appraisers from other states do not know this state, and the bill would not require training or apprenticeships for out-of-state appraisers. Appraisers work inside peoples' homes, and the state needs to require background checks. The federal government does not recognize provisional licenses. Appraisals completed by a person with a provisional license will not be accepted by lenders.

**Persons Testifying:** (In support) Representative Dufault, prime sponsor; and Tammie Perreault, Department of Defense.

(Opposed) George Nervik, Appraisers Coalition of Washington.

**Persons Signed In To Testify But Not Testifying:** None.