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SENATE BILL 6465

State of Washington 66th Legislature 2020 Regular Session

By Senators Wilson, L., Brown, Becker, Rivers, Takko, and Hunt Read first time 01/17/20. Referred to Committee on Labor & Commerce.

- 1 AN ACT Relating to occupational licensing; amending RCW 18.04.180, 18.08.400, 18.16.130, 18.39.130, 18.43.100, 18.96.100, 18.140.120, 18.210.180, 18.220.100, and 18.280.180; reenacting and amending RCW 18.145.080; and adding a new section to chapter 18.85 RCW.
- 6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 7 **Sec. 1.** RCW 18.04.180 and 2004 c 159 s 3 are each amended to 8 read as follows:
- 9 $((\frac{1}{1}))$ The board shall issue a license to a holder of a certificate/valid license issued by another state that entitles the holder to practice public accountancy $(\frac{1}{1})$ provided that $(\frac{1}{1})$ if:
- 12 (((a) Such state makes similar provision to grant reciprocity to 13 a holder of a valid certificate or license in this state;
- 14 (b) The applicant meets the CPE requirements of RCW 18.04.215(5);
- 15 (c) The applicant meets the good character requirements of RCW 16 18.04.105(1)(a); and
 - (d) The applicant passed the examination required for issuance of his or her certificate or license with grades that would have been passing grades at that time in this state and meets all current requirements in this state for issuance of a license at the time application is made; or at the time of the issuance of the

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applicant's license in the other state, met all the requirements then applicable in this state; or has three years of experience within the five years immediately preceding application or had five years of experience within the ten years immediately preceding application in the practice of public accountancy that meets the requirements prescribed by the board.

- (2) The board may accept NASBA's designation of the applicant as substantially equivalent to national standards as meeting the requirement of subsection (1)(d) of this section.
- (3) A licensee who has been granted a license under the reciprocity provisions of this section shall notify the board within thirty days if the license or certificate issued in the other jurisdiction has lapsed or if the status of the license or certificate issued in the other jurisdiction becomes otherwise invalid)) (1) The applicant is currently licensed or certified in at least one other state and the license or certificate is in good standing in all states in which the applicant holds a license or certificate;
- (2) The applicant has been licensed or certified in another state for at least one year;
- (3) When the applicant was licensed or certified by another state, there were minimum education and work experience requirements in effect and the other state verifies the applicant met the requirements in order to be licensed in that state;
- (4) The applicant previously passed an examination required for the license or certification, if required by the other state;
- (5) The applicant has not had a professional license, registration, or certificate revoked by any other regulating entity and has not voluntarily surrendered a professional license, registration, or certificate in any other state while under investigation for unprofessional conduct;
- (6) The applicant has not had discipline imposed by any other state for unprofessional conduct. If another jurisdiction has taken disciplinary action against the applicant, the board must determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved in that jurisdiction, the board may not issue or deny a license or certificate until the matter is resolved;

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- 1 (7) The applicant does not have a complaint, allegation, or 2 investigation pending before another regulating entity in another 3 state that relates to unprofessional conduct; and
 - (8) The applicant pays all applicable fees.

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- 5 Sec. 2. RCW 18.08.400 and 1985 c 37 s 11 are each amended to 6 read as follows:
 - (1) The director may, upon receipt of the current registration fee, grant a certificate of registration to an applicant who is a registered architect in another state or territory of the United States, the District of Columbia, or another country, if ((that individual's qualifications and experience are determined by the board to be equivalent to the qualifications and experience required of a person registered under RCW 18.08.350)):
- 14 <u>(a) The applicant is currently registered in at least one other</u> 15 <u>jurisdiction and the registration is in good standing in all</u> 16 <u>jurisdictions in which the applicant holds a registration;</u>
 - (b) The applicant has been registered in another jurisdiction for at least one year;
 - (c) When the applicant was registered by another jurisdiction, there were minimum education and work experience requirements in effect and the other jurisdiction verifies the applicant met the requirements in order to be registered in that jurisdiction;
 - (d) The applicant previously passed an examination required for registration, if required by the other jurisdiction;
 - (e) The applicant has not had a professional license, registration, or certificate revoked by any other regulating entity and has not voluntarily surrendered a professional license, registration, or certificate in any other jurisdiction while under investigation for unprofessional conduct;
 - (f) The applicant has not had discipline imposed by any other jurisdiction for unprofessional conduct. If another jurisdiction has taken disciplinary action against the applicant, the director must determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved in that jurisdiction, the director may not issue or deny a registration until the matter is resolved; and
- 37 (g) The applicant does not have a complaint, allegation, or 38 investigation pending before another regulating entity in another 39 jurisdiction that relates to unprofessional conduct.

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(2) The director may require that applicants take and pass an examination on the laws of this state, as well as any seismic examinations the director determines are necessary for the registration of architects in this state.

- **Sec. 3.** RCW 18.16.130 and 2015 c 62 s 5 are each amended to read 6 as follows:
 - (((1) Any person who is properly licensed in any state, territory, or possession of the United States, or foreign country shall be eligible for examination if the applicant submits the approved application and fee and provides proof to the director that he or she is currently licensed in good standing as a cosmetologist, hair designer, barber, manicurist, esthetician, master esthetician, instructor, or the equivalent in that jurisdiction. Upon passage of the required examinations the appropriate license will be issued.
 - (2) (a) The director shall, upon passage of the required examinations, issue a license as master esthetician to an applicant who submits the approved application and fee and provides proof to the director that the applicant is currently licensed in good standing in esthetics in any state, territory, or possession of the United States, or foreign country and holds a diplomate of the comite international d'esthetique et de cosmetologie diploma, or an international therapy examination council diploma, or a certified credential awarded by the national coalition of estheticians, manufacturers/distributors & associations.
 - (b) The director may upon passage of the required examinations, issue a master esthetician license to an applicant that is currently licensed in esthetics in any other state, territory, or possession of the United States, or foreign country and submits an approved application and fee and provides proof to the director that he or she is licensed in good standing and:
 - (i) The licensing state, territory, or possession of the United States, or foreign country has licensure requirements that the director determines are substantially equivalent to a master esthetician license in this state; or
 - (ii) The applicant has certification or a diploma or other credentials that the director determines has licensure requirements that are substantially equivalent to the degree listed in (a) of this subsection.)) The director must grant a license to a cosmetologist, hair designer, barber, manicurist, esthetician, master esthetician,

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or an instructor applicant that is currently licensed or certified in 1 at least one other state, territory, or possession of the United 2 3 States, or foreign country, if:

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- (1) The <u>license or certificate</u> is in good standing in all jurisdictions in which the applicant holds a license or certificate;
- 6 (2) The applicant has been licensed or certified in another 7 jurisdiction for at least one year;
 - (3) When the applicant was licensed or certified by another jurisdiction, there were minimum education and work experience requirements in effect and the other jurisdiction verifies the applicant met the requirements in order to be licensed in that jurisdiction;
- 13 (4) The applicant previously passed an examination required for the license or certification, if required by the other jurisdiction; 14
- (5) The applicant has not had a professional license, registration, or certificate revoked by any other regulating entity and has not voluntarily surrendered a professional license, registration, or certificate in any other jurisdiction while under 18 investigation for unprofessional conduct; 19
 - (6) The applicant has not had discipline imposed by any other jurisdiction for unprofessional conduct. If another jurisdiction has taken disciplinary action against the applicant, the director must determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved in that jurisdiction, the director may not issue or deny a license until the matter is resolved;
 - (7) The applicant does not have a complaint, allegation, or investigation pending before another regulating entity in another jurisdiction that relates to unprofessional conduct; and
 - (8) The applicant pays all applicable fees.
- Sec. 4. RCW 18.39.130 and 2005 c 365 s 9 are each amended to 31 32 read as follows:

The board may recognize licenses issued to funeral directors or embalmers from other states and extend reciprocity to an applicant if ((the applicant furnishes satisfactory evidence that the applicant holds a valid license issued by another licensing authority recognized by the board as having qualifications for licensure that are substantially equivalent to those required by this chapter on the date of original licensure or licensure with the other licensing

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authority. Five years active experience as a licensee may be accepted to make up a deficit in the comparable education requirements.

The board may issue a funeral director's or embalmer's license upon:

(1) Presentation of the license verification;

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- (2) Payment of a fee determined under RCW 43.24.086;
- (3) Successful completion of the examination of the laws of this state pertaining to the handling, care, transportation, and disposition of human remains and the contents of this chapter.)):
- (1) The applicant is currently licensed or certified in at least one other state and the license or certificate is in good standing in all states in which the applicant holds a license or certificate;
- 13 (2) The applicant has been licensed or certified for at least one year;
 - (3) When the applicant was licensed or certified by another state, there were minimum education and work experience requirements in effect and the other state verifies the applicant met the requirements in order to be licensed in that state;
 - (4) The applicant previously passed an examination required for the license or certification, if required by the other state;
 - (5) The applicant has not had a professional license, registration, or certificate revoked by any other regulating entity and has not voluntarily surrendered a professional license, registration, or certificate in any other state while under investigation for unprofessional conduct;
 - (6) The applicant has not had discipline imposed by any other state for unprofessional conduct. If another state has taken disciplinary action against the applicant, the board must determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved in that state, the board may not issue or deny a license or certificate until the matter is resolved;
- 32 <u>(7) The applicant does not have a complaint, allegation, or</u>
 33 <u>investigation pending before another regulating entity in another</u>
 34 state that relates to unprofessional conduct; and
- 35 (8) The applicant pays all applicable fees.
- 36 **Sec. 5.** RCW 18.43.100 and 2019 c 442 s 12 are each amended to read as follows:
- 38 <u>(1)</u> The board may, upon application and the payment of a fee 39 determined by the board, issue a certificate without further

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- 1 examination as a professional engineer or land surveyor to any person who holds a certificate of qualification of registration issued to 2 the applicant ((following examination by proper authority, of)) by 3 any state or territory or possession of the United States, the 4 District of Columbia, or of any foreign country, ((provided)) if: 5 6 (((1) That the applicant's qualifications meet the requirements of the chapter and the rules established by the board, and (2) that the 7 applicant is in good standing with the licensing agency in said 8 state, territory, possession, district, or foreign country.)) 9
- 10 <u>(a) The applicant is currently registered in at least one other</u>
 11 <u>jurisdiction and the registration is in good standing in all</u>
 12 jurisdictions in which the applicant holds a registration;
- 13 <u>(b) The applicant has been registered in another jurisdiction for</u> 14 <u>at least one year;</u>

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- (c) When the applicant was registered by another jurisdiction, there were minimum education and work experience requirements in effect and the other jurisdiction verifies the applicant met the requirements in order to be licensed in that jurisdiction;
- (d) The applicant previously passed an examination required for registration, if required by the other jurisdiction;
- (e) The applicant has not had a professional license, registration, or certificate revoked by any other regulating entity and has not voluntarily surrendered a professional license, registration, or certificate in any other jurisdiction while under investigation for unprofessional conduct;
- (f) The applicant has not had discipline imposed by any other jurisdiction for unprofessional conduct. If another jurisdiction has taken disciplinary action against the applicant, the board must determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved in that jurisdiction, the board may not issue or deny a registration until the matter is resolved; and
- (g) The applicant does not have a complaint, allegation, or investigation pending before another regulating entity in another jurisdiction that relates to unprofessional conduct.
- 36 (2) The board may require applicants applying under this section 37 to take and pass an examination on the laws of this state.
- NEW SECTION. Sec. 6. A new section is added to chapter 18.85 RCW to read as follows:

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(1) The director must grant a license to a broker or managing broker applicant that is currently licensed in at least one other state in the same or greater capacity if:

- (a) The license is in good standing in all states in which the applicant holds a license or certificate;
- (b) The applicant has been licensed in the same or greater capacity in another state for at least one year;
- (c) When the applicant was licensed by another state, there were minimum education and work experience requirements in effect and the other state verifies the applicant met the requirements in order to be licensed in that state;
- 12 (d) The applicant previously passed an examination required for 13 the license or certification, if required by the other state;
 - (e) The applicant has not had a professional license, registration, or certificate revoked by any other regulating entity and has not voluntarily surrendered a professional license, registration, or certificate in any other state while under investigation for unprofessional conduct;
- 19 (f) The applicant has not had discipline imposed by any other state for unprofessional conduct. If another state has taken disciplinary action against the applicant, the director must determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved in that state, the director may not issue or deny a license until the matter is resolved;
 - (g) The applicant does not have a complaint, allegation, or investigation pending before another regulating entity in another state that relates to unprofessional conduct; and
 - (h) The applicant pays all applicable fees.
- 30 (2) The director may require applicants applying under this 31 section to take and pass an examination on the laws of this state.
- **Sec. 7.** RCW 18.96.100 and 2009 c 370 s 10 are each amended to 33 read as follows:
 - (1) The director may, upon receipt of the current licensure fee, grant a certificate of licensure to an applicant who is a licensed landscape architect in another state or territory of the United States, the District of Columbia, or another country, if ((that individual's qualifications and experience are determined by the

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- board to be equivalent to the qualifications and experience required of a person licensed under RCW 18.96.070.)):
- 3 (a) The license is in good standing in all jurisdictions in which 4 the applicant holds a license;
- 5 (b) The applicant has been licensed in another jurisdiction for at least one year;

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- (c) When the applicant was licensed by another jurisdiction, there were minimum education and work experience requirements in effect and the other jurisdiction verifies the applicant met the requirements in order to be licensed in that jurisdiction;
- 11 (d) The applicant previously passed an examination required for 12 the license, if required by the other jurisdiction;
- 13 <u>(e) The applicant has not had a professional license,</u>
 14 registration, or certificate revoked by any other regulating entity
 15 and has not voluntarily surrendered a professional license,
 16 registration, or certificate in any other jurisdiction while under
 17 investigation for unprofessional conduct;
 - (f) The applicant has not had discipline imposed by any other jurisdiction for unprofessional conduct. If another jurisdiction has taken disciplinary action against the applicant, the director must determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved in that jurisdiction, the director may not issue or deny a license until the matter is resolved; and
 - (g) The applicant does not have a complaint, allegation, or investigation pending before another regulating entity in another jurisdiction that relates to unprofessional conduct.
- 28 (2) A landscape architect licensed or registered in any other 29 jurisdiction recognized by the board may offer to practice landscape 30 architecture in this state if:
- 31 (a) It is clearly and prominently stated in any such offer that 32 the landscape architect is not licensed to practice landscape 33 architecture in Washington state; and
- 34 (b) Before practicing landscape architecture or signing a 35 contract to provide landscape architectural services, the landscape 36 architect obtains a certificate of licensure.
- 37 **Sec. 8.** RCW 18.140.120 and 2016 c 144 s 2 are each amended to 38 read as follows:

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An applicant for certification or licensure who is currently certified or licensed and in good standing under the laws of another state may obtain a certificate or license as a Washington state-certified or state-licensed real estate appraiser without being required to satisfy the examination requirements of this chapter if ((the director determines that)):

- (1) The appraiser licensing and certification program of the other state is in compliance with 12 U.S.C. Secs. 3331-3355, as existed on June 9, 2016, or such subsequent date as the director may provide by rule, consistent with the purposes of this section; ((and the other state's requirements for certification or licensing meet or exceed the licensure standards established in this chapter.))
- 13 (2) The applicant has been licensed in another state for at least 14 one year;
 - (3) When the applicant was licensed by another state, there were minimum education and work experience requirements in effect and the other state verifies the applicant met the requirements in order to be licensed in that state;
- 19 <u>(4) The applicant previously passed an examination required for</u> 20 <u>the license, if required by the other state;</u>
 - (5) The applicant has not had a professional license, registration, or certificate revoked by any other regulating entity and has not voluntarily surrendered a professional license, registration, or certificate in any other state while under investigation for unprofessional conduct;
 - (6) The applicant has not had discipline imposed by any other state for unprofessional conduct. If another state has taken disciplinary action against the applicant, the director must determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved in that state, the director may not issue or deny a license until the matter is resolved;
- 33 (7) The applicant does not have a complaint, allegation, or 34 investigation pending before another regulating entity in another 35 state that relates to unprofessional conduct; and
 - (8) The applicant pays all applicable fees.
- **Sec. 9.** RCW 18.145.080 and 1995 c 269 s 504 and 1995 c 27 s 8 38 are each reenacted and amended to read as follows:

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1 The department shall issue a certificate to any applicant who 2 meets the standards established under this chapter and who:

(1) Is holding one of the following:

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- (a) Certificate of proficiency, registered professional reporter, registered merit reporter, or registered diplomate reporter from (([the])) the national court reporters association;
- (b) Certificate of proficiency or certificate of merit from (([the])) the national stenomask verbatim reporters association; or
 - (c) A current Washington state court reporter certification; or
- 10 (2) ((Has passed an examination approved by the director or an examination that meets or exceeds the standards established by the director.)) Holds a court reporter certification issued by another state if:
- 14 <u>(a) The applicant has been licensed or certified as a court</u>
 15 reporter in another state for at least one year;
- 16 (b) When the applicant was licensed or certified by another
 17 state, there were minimum certification requirements in effect and
 18 the other state verifies the applicant met the requirements in order
 19 to receive a certificate in that state;
- 20 <u>(c) The applicant previously passed an examination required for</u> 21 <u>the certificate, if required by the other state;</u>
 - (d) The applicant has not had a professional license, registration, or certificate revoked by any other regulating entity and has not voluntarily surrendered a professional license, registration, or certificate in any other state while under investigation for unprofessional conduct;
 - (e) The applicant has not had discipline imposed by any other state for unprofessional conduct. If another state has taken disciplinary action against the applicant, the department must determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved in that state, the department may not issue or deny a certificate until the matter is resolved;
- 34 <u>(f) The applicant does not have a complaint, allegation, or</u>
 35 <u>investigation pending before another regulating entity in another</u>
 36 <u>state that relates to unprofessional conduct; and</u>
 - (g) The applicant pays all applicable fees.
- 38 **Sec. 10.** RCW 18.210.180 and 2011 c 256 s 11 are each amended to 39 read as follows:

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Any person holding a license issued by a jurisdiction outside the state of Washington authorizing that person to perform design services for site soil assessment, hydraulics, topographic delineations, use of specialized treatment processes and devices, microbiology, and construction practices of on-site wastewater treatment systems may be granted a license without examination under this chapter, if:

- (1) ((The education, experience, and/or examination forming the basis of the license is determined by the board to be equal to or greater than the conditions for the issuance of a license under this chapter; and
- (2) The individual has paid the applicable fee and has submitted the necessary application form.)) The applicant has been licensed in another jurisdiction for at least one year;
- (2) When the applicant was licensed by another jurisdiction, there were minimum education and work experience requirements in effect and the other jurisdiction verifies the applicant met the requirements in order to be licensed in that jurisdiction;
- (3) The applicant previously passed an examination required for licensure, if required by the other jurisdiction;
- (4) The applicant has not had a professional license, registration, or certificate revoked by any other regulating entity and has not voluntarily surrendered a professional license, registration, or certificate in any other jurisdiction while under investigation for unprofessional conduct;
- (5) The applicant has not had discipline imposed by any other jurisdiction for unprofessional conduct. If another jurisdiction has taken disciplinary action against the applicant, the board must determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved in that jurisdiction, the board may not issue or deny a license until the matter is resolved;
- 33 (6) The applicant does not have a complaint, allegation, or 34 investigation pending before another regulating entity in another 35 jurisdiction that relates to unprofessional conduct; and
 - (7) The applicant pays all applicable fees.
- **Sec. 11.** RCW 18.220.100 and 2000 c 253 s 11 are each amended to 38 read as follows:

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The director may, upon application and payment of a fee determined by the director as provided in RCW 43.24.086, issue a license and certificate without further examination as a geologist or specialty geologist to any person who holds a license or certificate of qualification issued by proper authority of any state, territory, or possession of the United States, District of Columbia, or any foreign country, if ((the applicant's qualifications, as evaluated by the board, meet the requirements of this chapter and the rules adopted by the director.)):

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- 10 <u>(1) The license is in good standing in all jurisdictions in which</u>
 11 the applicant holds a license;
- 12 <u>(2) The applicant has been licensed in another jurisdiction for</u> 13 <u>at least one year;</u>
- (3) When the applicant was licensed by another jurisdiction, there were minimum education and work experience requirements in effect and the other jurisdiction verifies the applicant met the requirements in order to be licensed in that jurisdiction;
 - (4) The applicant previously passed an examination required for the license, if required by the other jurisdiction;
 - (5) The applicant has not had a professional license, registration, or certificate revoked by any other regulating entity and has not voluntarily surrendered a professional license, registration, or certificate in any other jurisdiction while under investigation for unprofessional conduct;
 - (6) The applicant has not had discipline imposed by any other jurisdiction for unprofessional conduct. If another jurisdiction has taken disciplinary action against the applicant, the board must determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved in that jurisdiction, the board may not issue or deny a license until the matter is resolved; and
- 32 (7) The applicant does not have a complaint, allegation, or 33 investigation pending before another regulating entity in another 34 jurisdiction that relates to unprofessional conduct.
- 35 **Sec. 12.** RCW 18.280.180 and 2008 c 119 s 18 are each amended to read as follows:
- ((Persons licensed as home inspectors in other states may become licensed as home inspectors under this chapter as long as the other state has licensing requirements that meet or exceed those required

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- 1 under this chapter and the person seeking a license under this
 2 chapter passes the Washington portion of the exam under RCW
 3 18.280.080.)) (1) The department must issue a license to a person
 4 licensed as a home inspector in another state if:
- 5 (a) The license is in good standing in all states in which the applicant holds a license;
- 7 (b) The applicant has been licensed in another state for at least 8 one year;
- 9 (c) When the applicant was licensed by another state, there were 10 minimum education and work experience requirements in effect and the 11 other state verifies the applicant met the requirements in order to 12 be licensed in that state;
- 13 (d) The applicant previously passed an examination required for the license, if required by the other state;
- 15 <u>(e) The applicant has not had a professional license,</u>
 16 registration, or certificate revoked by any other regulating entity
 17 and has not voluntarily surrendered a professional license,
 18 registration, or certificate in any other state while under
 19 investigation for unprofessional conduct;
 - (f) The applicant has not had discipline imposed by any other state for unprofessional conduct. If another jurisdiction has taken disciplinary action against the applicant, the department must determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved in that jurisdiction, the department may not issue or deny a license until the matter is resolved;
 - (g) The applicant does not have a complaint, allegation, or investigation pending before another regulating entity in another state that relates to unprofessional conduct; and
 - (h) The applicant pays all applicable fees.

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31 (2) The department may require applicants applying under this 32 section to take and pass an examination on the laws of this state.

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