

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1868 Session of 2021

INTRODUCED BY MAKO, HICKERNELL, WHEATLEY, BOBACK, SAINATO, RIGBY, DELLOSO, SCHMITT, N. NELSON, KINSEY, HENNESSEY, McNEILL, HILL-EVANS, POLINCHOCK, JAMES, MOUL, MILLARD, SOLOMON, KERWIN, CIRESI, BERNSTINE, HOWARD, HAMM, R. BROWN, FITZGERALD, SCHLEGEL CULVER, PISCIOTTANO, NEILSON AND MENTZER, SEPTEMBER 15, 2021

AS REPORTED FROM COMMITTEE ON PROFESSIONAL LICENSURE, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 4, 2021

AN ACT

1 Amending Title 63 (Professions and Occupations (State Licensed))
2 of the Pennsylvania Consolidated Statutes, adding provisions
3 relating to veterans' licensure by providing for
4 representation on licensing boards, for expedited license,
5 for military experience in place of education criteria, for
6 expedited temporary license, for relevant military
7 experience, for renewal of license for deployed
8 servicemembers, for fees and for reports.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Title 63 of the Pennsylvania Consolidated
12 Statutes is amended by adding a chapter to read:

CHAPTER 33

VETERANS' LICENSURE

15 Sec.

16 3301. Definitions.

17 3302. Representation on licensing boards.

18 3303. Expedited license.

1 3304. Military experience in place of education criteria.

2 3305. Expedited temporary license.

3 3306. Relevant military experience.

4 3307. Renewal of license for deployed servicemembers.

5 3308. Fees.

6 3309. Reports.

7 § 3301. Definitions.

8 The following words and phrases when used in this chapter
9 shall have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Bureau." The Bureau of Professional and Occupational
12 Affairs in the Department of State.

13 "License." A registration, permit, certificate or license <--
14 issued by a licensing board.

15 "Licensing board." A departmental or administrative board or
16 commission under the bureau.

17 "Military Occupational Codes Crosswalk." A module created by
18 a licensing board to provide guidance when evaluating
19 servicemembers' and veterans' applications for licensure to
20 identify skills, experience, credentials and education that have
21 been obtained in the military and crosswalking those skills,
22 experience, credentials and education into substitute licensure
23 requirements.

24 "Military spouse." The spouse of a servicemember or veteran.
25 The term includes an unmarried spouse of a deceased
26 servicemember where the servicemember died ~~one year before~~ <--
27 WITHIN ONE YEAR PRIOR TO the date an application for a license <--
28 is submitted to a licensing board.

29 "Qualified applicant." A servicemember, veteran or military
30 spouse WHO HAS SUBMITTED AN APPLICATION for a license. <--

1 "Servicemember." An active duty member of the armed forces
2 of the United States, a reserve component or the national guard
3 of a state.

4 "Veteran." A former servicemember who was discharged from
5 active duty under circumstances other than dishonorable.

6 § 3302. Representation on licensing boards.

7 The Governor shall provide preference to and strive to
8 achieve the goal of one servicemember, veteran or military
9 spouse serving on a EACH licensing board in this Commonwealth. <--
10 The servicemember, veteran or military spouse shall be a public
11 member of the licensing board and not an elected or appointed <--
12 member.

13 § 3303. Expedited license.

14 (a) Application question.--A licensing board shall include a
15 question on applications for licensure, renewal and reactivation
16 whether the individual submitting the application is a
17 servicemember, veteran or military spouse.

18 (b) Processing.--If an applicant is deemed as a qualified
19 applicant, the licensing board shall:

20 (1) Request that the qualified applicant submit
21 documentation to the licensing board demonstrating status as
22 a servicemember, veteran or military spouse.

23 (2) Upon submission, expedite the processing of the
24 application.

25 § 3304. Military experience in place of education criteria.

26 A licensing board shall issue a license to a qualified
27 applicant who does not meet the educational requirements for the
28 license so long as the qualified applicant:

29 (1) Submits an application and fee as prescribed by the
30 board by regulation.

1 (2) Passes all exams required for licensure.

2 (3) Has completed a military program and was awarded a
3 military occupational specialty.

4 (4) Performed in that occupational specialty at a level
5 that is substantially equivalent to the academic requirements
6 for the license that the qualified applicant applied.

7 (5) Has engaged in active practice for at least two of
8 the previous five years before submitting the application. A
9 qualified applicant's relevant military service experience of
10 the qualified applicant's official duties must be credited in
11 the calculation of the number of years the qualified
12 applicant has practiced in the profession.

13 (6) Meets all other noneducational requirements for
14 licensure.

15 § 3305. Expedited temporary license.

16 (a) Requirements of temporary license.--Each A licensing <--
17 board shall issue an expedited temporary license to a qualified
18 applicant who meets the criteria of subsection (c).

19 (b) Expiration.--The expedited temporary license shall be
20 valid until the earlier of one of:

21 (1) Six months after the date of issuance of the
22 temporary license by the licensing board.

23 (2) The date a nontemporary license is granted.

24 (3) The date a notice to deny a license is issued under
25 subsection (f).

26 (c) Criteria.--An application for an expedited temporary
27 license shall include the following documentation that the
28 applicant:

29 (1) Is a servicemember, veteran or military spouse.

30 (2) Holds a valid license in good standing issued in

1 another state.

2 (3) Is assigned to a duty station in this Commonwealth
3 or has established legal residence in this Commonwealth.

4 (4) Has submitted a full application for licensure.

5 (d) State equivalent.--Except as provided for in subsection
6 (e), before issuing an expedited temporary license to a
7 qualified applicant under this section, the licensing board
8 shall determine that the requirements for licensure in another
9 state the qualified applicant is licensed are substantially
10 equivalent to or exceed the requirements for licensure in this
11 Commonwealth.

12 (e) Not substantially equivalent.--If a licensing board
13 determines that the requirements for licensure in another state
14 the qualified applicant is licensed are not substantially
15 equivalent to licensure in this Commonwealth, the licensing
16 board may issue an expedited temporary license for a limited
17 period of time at the discretion of the licensing board while
18 the qualified applicant completes additional requirements for
19 licensure in this Commonwealth.

20 (f) Denial of temporary license.--A licensing board may not
21 issue an expedited temporary license if the issuance of the
22 license poses a risk to public health, safety or welfare.

23 (g) Publication.--The process for obtaining an expedited
24 temporary license shall be published on a licensing board's
25 publicly accessible Internet website.

26 § 3306. Relevant military experience.

27 (a) Years of experience.--Notwithstanding any other
28 provision of law, in calculating a qualified applicant's years
29 of practice or experience in an occupation or a profession, a
30 licensing board shall give credit to the qualified applicant for

1 relevant experience obtained as a servicemember or veteran.

2 (b) Training or education provided by military.--A licensing
3 board shall give credit for training and education provided by
4 the military and completed by a qualified applicant toward
5 training or education requirements for licensure, if the
6 training or education is determined by the licensing board to be
7 substantially equivalent to the training or education required
8 for licensure in this Commonwealth.

9 (c) Military Occupational Codes Crosswalk.--A licensing
10 board shall use the Military Occupational Codes Crosswalk to
11 facilitate the acceptance of military practice or experience if
12 training or education requirements for licensure are incomplete.

13 § 3307. Renewal of license for deployed servicemembers.

14 (a) Renewal application submission before deployment.--

15 (1) A servicemember who is scheduled to be deployed
16 outside this Commonwealth may apply for renewal of a license
17 if the deployment will occur when the license is eligible for
18 renewal.

19 (2) The servicemember may submit to the licensing board
20 all requirements for renewal prior to deployment.

21 (3) The licensing board shall provide a review of the
22 application and information received.

23 (4) If the licensing board finds that a requirement is
24 not met, the licensing board may notify the servicemember of
25 the deficiency but may not process the renewal until the
26 biennial renewal cycle begins.

27 (b) Late renew after deployment.--A licensing board may
28 renew a license of a servicemember after the expiration of the
29 license without penalty if the late renewal is a direct result
30 of deployment.

1 (c) Extension of continued education.--A licensing board may
2 extend a requirement to complete continuing education or
3 continued competency requirements for up to three months after
4 deployment of a servicemember if the servicemember meets all
5 other requirements for license renewal.

6 (d) Military spouse.--This section shall apply to a military
7 spouse if the military spouse travels with the servicemember
8 during deployment.

9 § 3308. Fees.

10 A licensing board may not assess a fee for an initial
11 licensure of a military spouse who relocated to this
12 Commonwealth as a result of the servicemember's military orders.

13 § 3309. Reports.

14 The bureau shall submit an annual report once for six years
15 to the chairperson and minority chairperson of the Consumer
16 Protection and Professional Licensure Committee of the Senate
17 and the chairperson and minority chairperson of the Professional
18 Licensure Committee of the House of Representatives. The report
19 shall include:

20 (1) The number of qualified applicants.

21 (2) The number of qualified applicants who were approved
22 for licensure.

23 (3) The number of qualified applicants who were denied
24 licensure including data on the reasons for denial.

25 (4) Data on the licensing board's application processing
26 times for qualified applicants including reasons for delays.

27 (5) Recommendations on ways to improve the licensing
28 board's ability to meet the licensing needs of
29 servicemembers, veterans and military spouses.

30 Section 2. This act shall take effect in 60 days.