

Licensure by Endorsement/Military/Spouses

This Act allows military-trained applicants who have been awarded a military occupational specialty and military-spouse applicants who are licensed in another jurisdiction to receive certain occupational licenses in this state. The applicants must meet requirements, either in the military or in another jurisdiction, that are substantially equivalent to or exceed this state's requirements for licensure. The Act generally requires state occupational licensing boards to issue occupational licenses to military-trained applicants and military-spouse applicants who meet this state's statutory requirements. The Act authorizes licensing boards in the state to issue temporary practice permits to such applicants until a license is granted or a notice to deny a license is issued.

Submitted as:

North Carolina

[SESSION LAW 2012-196](#)

Status: Enacted into law in 2012.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] An Act to allow licensure by endorsement for military personnel and
2 military spouses.

3
4 Section 2. [*Licensure for individuals with military training and experience; licensure by*
5 *endorsement for military spouses; temporary license.*]

6 (a) Notwithstanding any other provision of law, an occupational licensing board, as defined
7 in [insert citation], shall issue a license, certification, or registration to a military-trained applicant to
8 allow the applicant to lawfully practice the applicant's occupation in this State if, upon application to
9 an occupational licensing board, the applicant satisfies the following conditions:

10 (1) Has been awarded a military occupational specialty and has done all of the
11 following at a level that is substantially equivalent to or exceeds the requirements for licensure,
12 certification, or registration of the occupational licensing board from which the applicant is seeking
13 licensure, certification, or registration in this State: completed a military program of training,
14 completed testing or equivalent training and experience as determined by the board, and performed
15 in the occupational specialty.

16 (2) Has engaged in the active practice of the occupation for which the person is
17 seeking a license, certification, or permit from the occupational licensing board in this State for at
18 least two of the five years preceding the date of the application under this section.

19 (3) Has not committed any act in any jurisdiction that would have constituted grounds
20 for refusal, suspension, or revocation of a license to practice that occupation in this State at the time
21 the act was committed.

22 (4) Pays any fees required by the occupational licensing board for which the applicant
23 is seeking licensure, certification, or registration in this State.

24 (b) Notwithstanding any other provision of law, an occupational licensing board, as defined
25 in [insert citation], shall issue a license, certification, or registration to a military spouse to allow the
26 military spouse to lawfully practice the military spouse's occupation in this State if, upon application
27 to an occupational licensing board, the military spouse satisfies the following conditions:

1 (1) Holds a current license, certification, or registration from another jurisdiction, and
2 that jurisdiction's requirements for licensure, certification, or registration are substantially equivalent
3 to or exceed the requirements for licensure, certification, or registration of the occupational licensing
4 board for which the applicant is seeking licensure, certification, or registration in this State.

5 (2) Can demonstrate competency in the occupation through methods as determined by
6 the Board, such as having completed continuing education units or having had recent experience for
7 at least two of the five years preceding the date of the application under this section.

8 (3) Has not committed any act in any jurisdiction that would have constituted grounds
9 for refusal, suspension, or revocation of a license to practice that occupation in this State at the time
10 the act was committed.

11 (4) Is in good standing and has not been disciplined by the agency that had
12 jurisdiction to issue the license, certification, or permit.

13 (5) Pays any fees required by the occupational licensing board for which the applicant
14 is seeking licensure, certification, or registration in this State.

15 (c) All relevant experience of a military service member in the discharge of official duties or,
16 for a military spouse, all relevant experience, including full-time and part-time experience,
17 regardless of whether in a paid or volunteer capacity, shall be credited in the calculation of years of
18 practice in an occupation as required under subsection (a) or (b) of this section.

19 (d) A nonresident licensed, certified, or registered under this section shall be entitled to the
20 same rights and subject to the same obligations as required of a resident licensed, certified, or
21 registered by an occupational licensing board in this State.

22 (e) Nothing in this section shall be construed to apply to the practice of law as regulated
23 under [insert citation].

24 (f) An occupational licensing board may issue a temporary practice permit to a military-
25 trained applicant or military spouse licensed, certified, or registered in another jurisdiction while the
26 military-trained applicant or military spouse is satisfying the requirements for licensure under
27 subsection (a) or (b) of this section if that jurisdiction has licensure, certification, or registration
28 standards substantially equivalent to the standards for licensure, certification, or registration of an
29 occupational licensing board in this State. The military-trained applicant or military spouse may
30 practice under the temporary permit until a license, certification, or registration is granted or until a
31 notice to deny a license, certification, or registration is issued in accordance with rules adopted by
32 the occupational licensing board.

33 (g) An occupational licensing board may adopt rules necessary to implement this section.

34 (h) Nothing in this section shall be construed to prohibit a military-trained applicant or
35 military spouse from proceeding under the existing licensure, certification, or registration
36 requirements established by an occupational licensing board in this State.

37 (i) For the purposes of this section, the State Board of Education shall be considered an
38 occupational licensing board when issuing teacher licenses under [insert citation].

39 (j) For the purposes of this section, the [insert state] Medical Board shall not be considered
40 an occupational licensing board.”

41
42 Section 3. [*Study by the Legislative Research Commission.*]

43 The Legislative Research Commission shall study the issue of allowing licensure by the
44 [insert state] Medical Board for individuals with military training and experience, for military
45 spouses by endorsement, and for temporary licenses for military-trained applicants or military-
46 spouse applicants. The Commission shall make a report on this issue, including any
47 recommendations or legislative proposals, to the [insert year] Regular Session of the General
48 Assembly upon its convening.

1 Section 4. [*Severability.*] Insert severability clause.

2

3 Section. 5 [*Repealer.*] Insert repealer clause.

4

5 Section 6. [*Effective Date.*] Insert effective date.