

2019 -- H 5673

LC001834

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - SERVICE MEMBER LICENSURE

Introduced By: Representatives Jacquard, and Chippendale

Date Introduced: February 27, 2019

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. The title of Chapter 5-87 of the General Laws entitled "Service Member
2 Licensure" is hereby amended to read as follows:

3 ~~CHAPTER 5-87~~

4 ~~Service Member Licensure~~

5 CHAPTER 5-87

6 SERVICE MEMBER - OUT OF STATE APPLICANT - LICENSURE

7 SECTION 2. Section 5-87-1 of the General Laws in Chapter 5-87 entitled "Service
8 Member Licensure" is hereby amended to read as follows:

9 5-87-1. ~~Service member licensure.~~ Service member - Out of state applicant -
10 Licensure.

11 (a) The director and each member of the examining and licensing boards shall, upon
12 presentation of satisfactory evidence by an applicant for certification or licensure, accept
13 education, training, or service completed by an individual as a member of the Armed Forces or
14 Reserves of the United States, the National Guard of any state, the Military Reserves of any state,
15 or the Naval Militia of any state toward the qualifications to receive the license or certification.
16 The director and each appropriate examining and licensing board shall promulgate rules to
17 implement this section.

18 (b) Each business/profession related board shall establish a procedure to expedite the
19 issuance of a license, certification or permit to perform professional services regulated by each

1 such board to a person who is certified or licensed in another state to perform professional
2 services in a state other than Rhode Island. The procedure shall include:

3 (1) Issuing the person a license, certificate or permit, if, in the opinion of the board, the
4 requirements for certification or licensure of such other state are substantially equivalent to that
5 required in this state; or

6 (2) Developing a method to authorize the person to perform professional services
7 regulated by the board in this state by issuing the person a temporary permit for a limited period
8 of time to allow the person to perform professional services while completing any specific
9 requirements that may be required in this state that were not required in the state in which the
10 person was licensed or certified.

11 (c) The director and each member of the examining and licensing board shall, upon
12 presentation of satisfactory evidence by an applicant for certification or licensure, accept
13 education, training, or service completed by an applicant who has relocated to the state of Rhode
14 Island, towards the qualifications to receive a license or certification under this title. In
15 determining whether the applicant has presented satisfactory evidence as required by this
16 subsection, the director may consider whether:

17 (1) The applicant is currently licensed or certified in at least one other state in the
18 discipline applied for and at the same practice level as determined by the regulating entity and the
19 license or certification is in good standing in all states in which the person holds a license or
20 certification.

21 (2) The applicant has been licensed or certified by another state for at least one year. If
22 the person has been licensed or certified for fewer than five (5) years, the regulating entity may
23 require the person to practice under the direct supervision of a licensee or certificate holder in the
24 practice area in this state.

25 (3) When the applicant was licensed or certified by another state there were minimum
26 education requirements and, if applicable, work experience and clinical supervision requirements
27 in effect and the other state verifies that the person met those requirements in order to be licensed
28 or certified in that state.

29 (4) The applicant previously passed an examination required for the license or
30 certification.

31 (5) The applicant has not had a license or certificate revoked and has not voluntarily
32 surrendered a license or certificate in any other state or country while under investigation for
33 unprofessional conduct.

34 (6) The applicant has not had discipline imposed by any other regulating entity. If another

1 jurisdiction has taken disciplinary action against the person, the regulating entity shall determine
2 if the cause for the action was corrected and the matter resolved. If the matter has not been
3 resolved by that jurisdiction, the regulating entity may not issue or deny a license until the matter
4 is resolved.

5 (7) The applicant does not have a complaint, allegation or investigation pending before
6 another regulating entity in another state or country that relates to unprofessional conduct. If an
7 applicant has any complaints, allegations or investigations pending, the regulating entity in this
8 state shall suspend the application process and may not issue or deny a license to the applicant
9 until the complaint, allegation or investigation is resolved.

10 (8) The applicant pays all applicable fees.

11 (9) The applicant actually relocated to Rhode Island.

12 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO BUSINESSES AND PROFESSIONS - SERVICE MEMBER LICENSURE

1 This act would provide for service member business license reciprocity for applicant's
2 who have recently established residence in Rhode Island.

3 This act would take effect upon passage.

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