

**Professional Licensure Background Checks**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Evan J. Vickers**

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**LONG TITLE****Committee Note:**

The Business and Labor Interim Committee recommended this bill.

Legislative Vote: 12 voting for 0 voting against 10 absent

**General Description:**

This bill amends provisions related to professional licensure background checks.

**Highlighted Provisions:**

This bill:

- defines terms;
- standardizes the requirements for a criminal background check for licensure in certain professions;
- clarifies the circumstances under which the Division of Professional Licensing revokes a license, as that revocation applies to a criminal background check; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:****AMENDS:**

**58-1-301.5**, as last amended by Laws of Utah 2024, Chapter 420

**58-5a-302**, as last amended by Laws of Utah 2020, Chapter 339

**58-16a-302**, as last amended by Laws of Utah 2022, Chapter 415

**58-17b-303**, as last amended by Laws of Utah 2020, Chapter 339

**58-17b-304**, as last amended by Laws of Utah 2020, Chapter 339

**58-17b-305**, as last amended by Laws of Utah 2020, Chapter 339

**58-17b-306**, as last amended by Laws of Utah 2024, Chapter 210

**58-24b-302**, as last amended by Laws of Utah 2020, Chapter 339

**58-31b-302**, as last amended by Laws of Utah 2023, Chapters 223, 284

- 32 **58-42a-302**, as last amended by Laws of Utah 2022, Chapter 221  
 33 **58-44a-302**, as last amended by Laws of Utah 2022, Chapters 415, 438  
 34 **58-47b-302**, as last amended by Laws of Utah 2024, Chapter 137  
 35 **58-55-302**, as last amended by Laws of Utah 2024, Chapter 507  
 36 **58-60-205**, as last amended by Laws of Utah 2024, Chapters 103, 420  
 37 **58-60-305**, as last amended by Laws of Utah 2024, Chapter 420  
 38 **58-60-405**, as last amended by Laws of Utah 2024, Chapter 420  
 39 **58-60-506**, as last amended by Laws of Utah 2024, Chapter 420  
 40 **58-61-304**, as last amended by Laws of Utah 2024, Chapter 420  
 41 **58-63-302**, as last amended by Laws of Utah 2023, Chapter 223  
 42 **58-64-302**, as last amended by Laws of Utah 2023, Chapter 223  
 43 **58-67-302**, as last amended by Laws of Utah 2023, Chapter 329  
 44 **58-68-302**, as last amended by Laws of Utah 2023, Chapter 329  
 45 **58-69-302**, as last amended by Laws of Utah 2020, Chapter 339  
 46 **58-70a-302**, as last amended by Laws of Utah 2023, Chapter 222  
 47 **58-70b-302**, as last amended by Laws of Utah 2023, Chapter 139  
 48 **58-71-302**, as last amended by Laws of Utah 2023, Chapter 249  
 49 **58-73-302**, as last amended by Laws of Utah 2022, Chapter 415

## 50 REPEALS:

- 51 **58-17b-307**, as last amended by Laws of Utah 2023, Chapter 223  
 52 **58-24b-302.1**, as enacted by Laws of Utah 2018, Chapter 318  
 53 **58-42a-302.1**, as enacted by Laws of Utah 2022, Chapter 221  
 54 **58-44a-302.1**, as enacted by Laws of Utah 2022, Chapter 438  
 55 **58-47b-302.1**, as enacted by Laws of Utah 2023, Chapter 225  
 56 **58-55-302.1**, as enacted by Laws of Utah 2023, Chapter 223  
 57 **58-60-103.1**, as last amended by Laws of Utah 2024, Chapters 103, 420  
 58 **58-61-304.1**, as last amended by Laws of Utah 2024, Chapter 420  
 59 **58-63-302.1**, as enacted by Laws of Utah 2023, Chapter 223  
 60 **58-64-302.1**, as enacted by Laws of Utah 2023, Chapter 223  
 61 **58-67-302.1**, as enacted by Laws of Utah 2018, Chapter 318  
 62 **58-68-302.1**, as enacted by Laws of Utah 2018, Chapter 318  
 63 **58-70a-301.1**, as enacted by Laws of Utah 2023, Chapter 222

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65 *Be it enacted by the Legislature of the state of Utah:*

66 Section 1. Section **58-1-301.5** is amended to read:

67 **58-1-301.5 . Division access to Bureau of Criminal Identification records --**  
68 **Criminal background check requirement.**

69 (1) As used in this section, "applicant" means an individual applying for licensure or  
70 certification, or with respect to a license or certification, applying for renewal,  
71 reinstatement, or relicensure or recertification, as required in:

72 (a) Section 58-5a-302;

73 (b) Section 58-16a-302;

74 (c) Section 58-17b-303;

75 (d) Section 58-17b-304;

76 (e) Section 58-17b-305;

77 (f) Section 58-17b-306;

78 (g) Section 58-24b-302;

79 (h) Section 58-31b-302;

80 (i) Section 58-42a-302;

81 (j) Section 58-44a-302;

82 (k) Section 58-47b-302;

83 (l) Section 58-55-302;

84 (m) Section 58-60-205;

85 (n) Section 58-60-305;

86 (o) Section 58-60-405;

87 (p) Section 58-60-506;

88 (q) Section 58-61-304;

89 (r) Section 58-63-302;

90 (s) Section 58-64-302;

91 (t) Section 58-67-302;

92 (u) Section 58-68-302;

93 (v) Section 58-69-302;

94 (w) Section 58-70a-302;

95 (x) Section 58-70b-302;

96 (y) Section 58-71-302; or

97 (z) Section 58-73-302.

98 [(+)] (2) The division shall have direct access to local files maintained by the Bureau of  
99 Criminal Identification under Title 53, Chapter 10, Part 2, Bureau of Criminal

- 100 Identification, for background screening of [~~individuals who are applying for licensure~~  
 101 ~~or certification, or with respect to a license or certification, renewal, reinstatement, or~~  
 102 ~~relicensure or recertification, as required in:] an applicant.~~
- 103 [~~(a) Sections 58-17b-306 and 58-17b-307;~~  
 104 [~~(b) Sections 58-24b-302 and 58-24b-302.1;~~  
 105 [~~(c) Section 58-31b-302;~~  
 106 [~~(d) Sections 58-42a-302 and 58-42a-302.1, of Chapter 42a, Occupational Therapy~~  
 107 ~~Practice Act;~~  
 108 [~~(e) Section 58-44a-302.1;~~  
 109 [~~(f) Sections 58-47b-302 and 58-47b-302.1;~~  
 110 [~~(g) Section 58-55-302, as Section 58-55-302 applies to alarm companies and alarm~~  
 111 ~~company agents, and Section 58-55-302.1;~~  
 112 [~~(h) Sections 58-60-103.1, 58-60-205, 58-60-305, 58-60-405, and 58-60-506 of Chapter~~  
 113 ~~60, Mental Health Professional Practice Act;~~  
 114 [~~(i) Sections 58-61-304 and 58-61-304.1;~~  
 115 [~~(j) Sections 58-63-302 and 58-63-302.1;~~  
 116 [~~(k) Sections 58-64-302 and 58-64-302.1;~~  
 117 [~~(l) Sections 58-67-302 and 58-67-302.1;~~  
 118 [~~(m) Sections 58-68-302 and 58-68-302.1; and]~~  
 119 [~~(n) Sections 58-70a-301.1 and 58-70a-302, of Chapter 70a, Utah Physician Assistant~~  
 120 ~~Act.]~~
- 121 [(2)] (3) The division's access to criminal background information under this section:  
 122 (a) shall meet the requirements of Section 53-10-108; and  
 123 (b) includes[-] :
- 124 (i) convictions, pleas of nolo contendere, pleas of guilty or nolo contendere held in  
 125 abeyance, dismissed charges, and charges without a known disposition; and  
 126 (ii) criminal background information maintained under Title 53, Chapter 10, Part 2,  
 127 Bureau of Criminal Identification.
- 128 [(3)] (4) The division may not disseminate outside of the division any criminal history  
 129 record information that the division obtains from the Bureau of Criminal Identification  
 130 or the Federal Bureau of Investigation under the criminal background check  
 131 requirements of this section.
- 132 (5) To fulfill an applicable criminal background check requirement, an applicant shall:  
 133 (a) submit fingerprints in a form acceptable to the division at the time the applicant files

- 134 a license application; and
- 135 (b) consent to a fingerprint background check conducted by the Bureau of Criminal
- 136 Identification and the Federal Bureau of Investigation regarding the application.
- 137 (6)(a) Upon receiving fingerprints from an applicant in accordance with Subsection (5),
- 138 the division shall:
- 139 (i) collect from each applicant submitting fingerprints in accordance with this section:
- 140 (A) the fee that the Bureau of Criminal Identification is authorized to collect for
- 141 the services provided under Section 53-10-108; and
- 142 (B) the fee charged by the Federal Bureau of Investigation for fingerprint
- 143 processing for the purpose of obtaining federal criminal history record
- 144 information;
- 145 (ii) submit from each applicant the fingerprints and the fees described in Subsection
- 146 (6)(a)(i) to the Bureau of Criminal Identification; and
- 147 (iii) obtain and retain in division records a signed waiver approved by the Bureau of
- 148 Criminal Identification in accordance with Section 53-10-108 for each applicant.
- 149 (b) The fees described in Subsection (6)(a)(i) are in addition to other fees authorized by
- 150 this chapter.
- 151 (7) In accordance with the requirements of Section 53-10-108, the Bureau of Criminal
- 152 Identification shall:
- 153 (a) check the fingerprints submitted under Subsection (5)(a) against the applicable state
- 154 and regional criminal records databases;
- 155 (b) forward the fingerprints to the Federal Bureau of Investigation for a national criminal
- 156 history background check; and
- 157 (c) provide the results from the state, regional, and nationwide criminal history
- 158 background checks to the division.
- 159 (8)(a) Notwithstanding Title 63G, Chapter 4, Administrative Procedures Act, if the
- 160 criminal background check required under this section demonstrates, after the
- 161 applicant is licensed, that the applicant failed to accurately disclose a criminal
- 162 history, the division may provide notice to the applicant that the license is
- 163 immediately and automatically revoked.
- 164 (b) An individual whose license has been revoked in accordance with Subsection (8)(a)
- 165 is entitled to a hearing to challenge the revocation.
- 166 (c) The division shall conduct the hearing described in this Subsection (8) in accordance
- 167 with Title 63G, Chapter 4, Administrative Procedures Act.

168 Section 2. Section **58-5a-302** is amended to read:

169 **58-5a-302 . Qualifications to practice podiatry.**

170 An applicant for licensure to practice podiatry shall:

- 171 (1) submit an application in a form [~~as prescribed by~~]the division approves;
- 172 (2) pay a fee as determined by the department under Section 63J-1-504;
- 173 (3) provide satisfactory documentation of having successfully completed a program of
- 174 professional education preparing an individual as a podiatric physician, as evidenced by
- 175 having received an earned degree of doctor of podiatric medicine from a podiatry school
- 176 or college accredited by the Council on Podiatric Medical Education;
- 177 (4) if licensed on or after July 1, 2015, satisfy the division and board that the applicant:
- 178 (a) has successfully completed 24 months of resident training in a program approved by
- 179 the Council on Podiatric Medical Education; or
- 180 (b)(i) has successfully completed 12 months of resident training in a program
- 181 approved by the Council on Podiatric Medical Education after receiving a degree
- 182 of doctor of podiatric medicine as required under Subsection (3);
- 183 (ii) has been accepted in, and is successfully participating in, progressive resident
- 184 training in a Council on Podiatric Medical Education approved program within
- 185 Utah, in the applicant's second or third year of postgraduate training; and
- 186 (iii) has agreed to surrender to the division the applicant's license as a podiatric
- 187 physician without any proceedings under Title 63G, Chapter 4, Administrative
- 188 Procedures Act, and has agreed the applicant's license as a podiatric physician will
- 189 be automatically revoked by the division if the applicant fails to continue in good
- 190 standing in a Council on Podiatric Medical Education approved progressive
- 191 resident training program within the state;[~~and~~]
- 192 (5) pass examinations required by rule[~~;~~] ; and
- 193 (6)(a) consent to, and complete, a criminal background check, described in Section
- 194 58-1-301.5;
- 195 (b) meet any other standard related to the criminal background check described in
- 196 Subsection (6)(a), that the division establishes by rule in accordance with Title 63G,
- 197 Chapter 3, Utah Administrative Rulemaking Act; and
- 198 (c) disclose any criminal history the division requests on a form the division approves.

199 Section 3. Section **58-16a-302** is amended to read:

200 **58-16a-302 . Qualifications for licensure.**

201 An applicant for licensure as an optometrist shall:

- 202 (1) submit an application in a form [~~prescribed by~~]the division approves;
- 203 (2) pay a fee as determined by the division under Section 63J-1-504;
- 204 (3)(a)[~~(a)~~] (i) be a doctoral graduate of a recognized school of optometry accredited
- 205 by the American Optometric Association's Accreditation Council on Optometric
- 206 Education; or
- 207 [~~(b)~~] (ii) be a graduate of a school of optometry located outside the United States that
- 208 meets the criteria that would qualify the school for accreditation under Subsection
- 209 (3)(a), as demonstrated by the applicant for licensure; or
- 210 [~~(4)~~] (b) if the applicant graduated from a recognized school of optometry [~~prior to~~] before
- 211 July 1, 1996, have successfully completed a course of study satisfactory to the
- 212 division, in consultation with the board, in general and ocular pharmacology and
- 213 emergency medical care;
- 214 [~~(5)~~] (4) have passed examinations [~~approved by~~]the division, in consultation with the board,
- 215 approves and that include:
- 216 (a) a standardized national optometry examination;
- 217 (b) a standardized clinical examination; and
- 218 (c) a standardized national therapeutics examination; [~~and~~]
- 219 [~~(6)~~] (5) meet with the board and representatives of the division, if requested by either party,
- 220 for the purpose of evaluating the applicant's qualifications for licensure[~~;~~] ; and
- 221 (6)(a) consent to, and complete, a criminal background check, described in Section
- 222 58-1-301.5;
- 223 (b) meet any other standard related to the criminal background check described in
- 224 Subsection (6)(a), that the division establishes by rule in accordance with Title 63G,
- 225 Chapter 3, Utah Administrative Rulemaking Act; and
- 226 (c) disclose any criminal history the division requests on a form the division approves.
- 227 Section 4. Section **58-17b-303** is amended to read:
- 228 **58-17b-303 . Qualifications for licensure as a pharmacist.**
- 229 (1) An applicant for licensure as a pharmacist shall:
- 230 (a) submit an application in a form [~~prescribed by~~]the division approves;
- 231 (b) pay a fee as determined by the department under Section 63J-1-504;
- 232 (c) [~~complete a criminal background check and be free from criminal convictions as~~
- 233 ~~described in Section 58-1-501;~~]
- 234 (i) consent to, and complete, a criminal background check, described in Section
- 235 58-1-301.5;

- 236           (ii) meet any other standard related to the criminal background check described in  
 237           Subsection (1)(c)(i), that the division establishes by rule in accordance with Title  
 238           63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 239           (iii) disclose any criminal history the division requests on a form the division  
 240           approves;
- 241           (d) have no physical or mental condition of a nature [which] that prevents the applicant  
 242           from engaging in the practice of pharmacy with reasonable skill, competency, and  
 243           safety to the public;
- 244           (e) have graduated and received a professional entry degree from a school or college of  
 245           pharmacy which is accredited by the Accreditation Council on Pharmacy Education;
- 246           (f) have completed an internship meeting standards established by division rule made in  
 247           collaboration with the board; and
- 248           (g) have successfully passed examinations required by division rule made in  
 249           collaboration with the board.
- 250           (2) An applicant for licensure as a pharmacist whose pharmacy education was completed at  
 251           a foreign pharmacy school shall, in addition to the requirements under Subsections (1)(a)  
 252           through (d), (f), and (g), obtain a certification of equivalency from a credentialing  
 253           agency required by division rule made in collaboration with the board.
- 254           (3) An applicant for a license by endorsement as a pharmacist under this section shall:
- 255           (a) submit a written application in the form prescribed by the division;
- 256           (b) pay the fee determined by the department under Section 63J-1-504;
- 257           (c) ~~[complete a criminal background check and be free from criminal convictions as~~  
 258           ~~described in Section 58-1-501;]~~
- 259           (i) consent to, and complete, a criminal background check, described in Section  
 260           58-1-301.5;
- 261           (ii) meet any other standard related to the criminal background check described in  
 262           Subsection (3)(c)(i), that the division establishes by rule in accordance with Title  
 263           63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 264           (iii) disclose any criminal history the division requests on a form the division  
 265           approves;
- 266           (d) have no physical or mental condition of a nature which prevents the applicant from  
 267           engaging in the practice of pharmacy with reasonable skill, competency, and safety to  
 268           the public;
- 269           (e) have lawfully practiced as a licensed pharmacist a minimum of 2,000 hours in the



- 270 four years immediately preceding the date of application;
- 271 (f) produce satisfactory evidence of completing the professional education required
- 272 under Subsection (1);
- 273 (g) be currently licensed in good standing as a pharmacist in another state, territory, or
- 274 possession of the United States;
- 275 (h) produce satisfactory evidence that the examination requirements are or were at the
- 276 time the license was issued, equal to those of this state; and
- 277 (i) pass the jurisprudence examination prescribed by division rule made in collaboration
- 278 with the board.

279 Section 5. Section **58-17b-304** is amended to read:

280 **58-17b-304 . Qualifications for licensure of pharmacy intern.**

281 An applicant for licensure as a pharmacy intern shall:

- 282 (1) submit an application in a form [~~prescribed by~~] the division approves;
- 283 (2) pay a fee determined by the department under Section 63J-1-504;
- 284 (3) [~~complete a criminal background check and be free from criminal convictions as~~
- 285 ~~described in Section 58-1-501;~~]
- 286 (a) consent to, and complete, a criminal background check, described in Section
- 287 58-1-301.5;
- 288 (b) meet any other standard related to the criminal background check described in
- 289 Subsection (3)(a), that the division establishes by rule in accordance with Title 63G,
- 290 Chapter 3, Utah Administrative Rulemaking Act; and
- 291 (c) disclose any criminal history the division requests on a form the division approves;
- 292 (4) have no physical or mental condition of a nature [~~which~~] that prevents the applicant from
- 293 engaging in the practice of pharmacy with reasonable skill, competency, and safety to
- 294 the public;
- 295 (5) meet the preliminary educational qualifications required by division rule made in
- 296 collaboration with the board; and
- 297 (6) meet one of the following educational criteria:
- 298 (a) be a current pharmacy student, a resident, or fellow in a program approved by
- 299 division rule made in collaboration with the board; or
- 300 (b) have graduated from a foreign pharmacy school and received certification of
- 301 equivalency from a credentialing agency approved by division rule made in
- 302 collaboration with the board.

303 Section 6. Section **58-17b-305** is amended to read:

304 **58-17b-305 . Qualifications for licensure of pharmacy technician.**

- 305 (1) An applicant for licensure as a pharmacy technician shall:
- 306 (a) submit an application in a form [~~prescribed by~~]the division approves;
- 307 (b) pay a fee determined by the department under Section 63J-1-504;
- 308 (c) [~~complete a criminal background check and be free from criminal convictions as~~  
309 ~~described in Section 58-1-501;~~]
- 310 (i) consent to, and complete, a criminal background check, described in Section  
311 58-1-301.5;
- 312 (ii) meet any other standard related to the criminal background check described in  
313 Subsection (1)(c)(i), that the division establishes by rule in accordance with Title  
314 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 315 (iii) disclose any criminal history the division requests on a form the division  
316 approves;
- 317 (d) have no physical or mental condition of a nature [~~which~~] that prevents the applicant  
318 from engaging in practice as a pharmacy technician with reasonable skill,  
319 competency, and safety to the public;
- 320 (e) have completed a program and curriculum of education and training, meeting  
321 standards established by division rule made in collaboration with the board; and
- 322 (f) successfully complete the examinations requirement within the time periods  
323 established by division rule made in collaboration with the board.
- 324 (2) A pharmacist whose license has been denied, revoked, suspended, or restricted for  
325 disciplinary purposes is not eligible to be a licensed pharmacy technician while on  
326 probation with the division.

327 Section 7. Section **58-17b-306** is amended to read:

328 **58-17b-306 . Qualifications for licensure as a pharmacy.**

- 329 (1) Each applicant for licensure under this section, except for those applying for a class D  
330 license, shall:
- 331 (a) submit a written application in the form[~~prescribed by~~] the division approves;
- 332 (b) pay a fee as determined by the department under Section 63J-1-504;
- 333 (c) satisfy the division that the applicant, and each owner, officer, or manager of the  
334 applicant, [~~have~~] has not engaged in any act, practice, or omission, which when  
335 considered with the duties and responsibilities of a licensee under this section  
336 indicates there is cause to believe that issuing a license to the applicant is inconsistent  
337 with the interest of the public's health, safety, or welfare;

- 338 (d) demonstrate the licensee's operations will be in accordance with all federal, state, and  
 339 local laws relating to the type of activity engaged in by the licensee, including  
 340 regulations of the Federal Drug Enforcement Administration and Food and Drug  
 341 Administration;
- 342 (e) maintain operating standards established by division rule made in collaboration with  
 343 the board and in accordance with Title 63G, Chapter 3, Utah Administrative  
 344 Rulemaking Act;
- 345 (f)(i) for each pharmacy license, ensure that the [~~pharmacist in charge~~]  
 346 pharmacist-in-charge, as defined by the division[~~, submits fingerprint cards and~~  
 347 ~~consents to a fingerprint background check in accordance with Section 58-17b-307]~~  
 348 consents to, and completes, a criminal background check, described in Section  
 349 58-1-301.5;
- 350 (ii) meets any other standard related to the criminal background check described in  
 351 Subsection (1)(f)(i), that the division establishes by rule in accordance with Title  
 352 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 353 (iii) discloses any criminal history the division requests on a form the division  
 354 approves; and
- 355 (g) acknowledge the division's authority to inspect the licensee's business premises  
 356 pursuant to Section 58-17b-103.
- 357 (2) Each applicant applying for a class D license shall:
- 358 (a) submit a written application in the form[~~prescribed by~~] the division approves;
- 359 (b) pay a fee as determined by the department under Section 63J-1-504;
- 360 (c) present to the division verification of licensure in the state where physically located  
 361 and verification that such license is in good standing;
- 362 (d) satisfy the division that the applicant and each of the applicant's pharmacy managers  
 363 has not engaged in any act, practice, or omission, which when considered with the  
 364 duties and responsibilities of a licensee under this section, indicates there is cause to  
 365 believe that issuing a license to the applicant is inconsistent with the interest of the  
 366 public's health, safety, or welfare;
- 367 (e) for each pharmacy manager[~~, submit fingerprint cards and consent to a fingerprint~~  
 368 ~~background check in accordance with Section 58-17b-307;]~~ :
- 369 (i) consent to, and complete, a criminal background check, described in Section  
 370 58-1-301.5;
- 371 (ii) meet any other standard related to the criminal background check described in

372 Subsection (2)(e)(i), that the division establishes by rule in accordance with Title  
 373 63G, Chapter 3, Utah Administrative Rulemaking Act; and

374 (iii) disclose any criminal history the division requests on a form the division  
 375 approves;

376 (f) provide a statement of the scope of pharmacy services that will be provided and a  
 377 detailed description of the protocol as described by rule by which pharmacy care will  
 378 be provided, including any collaborative practice arrangements with other health care  
 379 practitioners;

380 (g) sign an affidavit attesting that any healthcare practitioners employed by the applicant  
 381 and physically located in Utah have the appropriate license issued by the division and  
 382 in good standing;

383 (h) sign an affidavit attesting that the applicant will abide by the pharmacy laws and  
 384 regulations of the jurisdiction in which the pharmacy is located; and

385 (i) if an applicant engages in compounding, submit the most recent inspection report:

386 (i) conducted within two years before the application for licensure; and

387 (ii)(A) conducted as part of the National Association of Boards of Pharmacy

388 Verified Pharmacy Program; or

389 (B) performed by the state licensing agency of the state in which the applicant is a

390 resident and in accordance with the National Association of Boards of

391 Pharmacy multistate inspection blueprint program.

392 (3)(a) Each license issued under this section shall be associated with a single, specific  
 393 address.

394 (b) By rule made in collaboration with the board and in accordance with Title 63G,  
 395 Chapter 3, Utah Administrative Rulemaking Act, the division shall allow a licensee  
 396 to update, by request to the division, the address associated with the licensee under  
 397 Subsection (3)(a), to a new address if the licensee requests the change of address at  
 398 least 90 days before the day on which the licensee begins operating at the new  
 399 address.

400 Section 8. Section **58-24b-302** is amended to read:

401 **58-24b-302 . Licensure.**

402 (1) An applicant for a license as a physical therapist shall:

403 (a) complete the application process, including payment of fees;

404 (b) submit proof of graduation from a professional physical therapist education program  
 405 that is accredited by a recognized accreditation agency;

- 406 (c) pass a licensing examination:
- 407 (i) after complying with Subsection (1)(b); or
- 408 (ii) if the applicant is in the final term of a professional physical therapist education
- 409 program that is accredited by a recognized accreditation agency;
- 410 (d) be able to read, write, speak, understand, and be understood in the English language
- 411 and demonstrate proficiency to the satisfaction of the board if requested by the board;
- 412 (e)(i) [~~consent to a criminal background check in accordance with Section~~
- 413 ~~58-24b-302.1 and any requirements established by rule made in accordance with~~
- 414 ~~Title 63G, Chapter 3, Utah Administrative Rulemaking Act]~~ consent to, and
- 415 complete, a criminal background check, described in Section 58-1-301.5;
- 416 (ii) meet any other standard related to the criminal background check described in
- 417 Subsection (1)(e)(i), that the division establishes by rule in accordance with Title
- 418 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 419 (iii) disclose any criminal history the division requests on a form the division
- 420 approves; and
- 421 (f) meet any other requirements established by the division, by rule made in accordance
- 422 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 423 (2) An applicant for a license as a physical therapist assistant shall:
- 424 (a) complete the application process, including payment of fees set by the division, in
- 425 accordance with Section 63J-1-504, to recover the costs of administering the
- 426 licensing requirements relating to physical therapist assistants;
- 427 (b) submit proof of graduation from a physical therapist assistant education program that
- 428 is accredited by a recognized accreditation agency;
- 429 (c) pass a licensing examination approved by division rule made in collaboration with
- 430 the board and in accordance with Title 63G, Chapter 3, Utah Administrative
- 431 Rulemaking Act:
- 432 (i) after the applicant complies with Subsection (2)(b); or
- 433 (ii) if the applicant is in the final term of a physical therapist assistant education
- 434 program that is accredited by a recognized accreditation agency;
- 435 (d) be able to read, write, speak, understand, and be understood in the English language
- 436 and demonstrate proficiency to the satisfaction of the board if requested by the board;
- 437 (e)(i) [~~submit to, and pass, a criminal background check, in accordance with Section~~
- 438 ~~58-24b-302.1 and standards established by rule made in accordance with Title~~
- 439 ~~63G, Chapter 3, Utah Administrative Rulemaking Act]~~ consent to, and complete, a

- 440 criminal background check, described in Section 58-1-301.5;  
441 (ii) meet any other standard related to the criminal background check described in  
442 Subsection (2)(e)(i), that the division establishes by rule in accordance with Title  
443 63G, Chapter 3, Utah Administrative Rulemaking Act; and  
444 (iii) disclose any criminal history the division requests on a form the division  
445 approves; and
- 446 (f) meet any other requirements established by the division, by rule made in accordance  
447 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 448 (3) An applicant for a license as a physical therapist who is educated outside of the United  
449 States shall:
- 450 (a) complete the application process, including payment of fees;
- 451 (b)(i) provide satisfactory evidence that the applicant graduated from a professional  
452 physical therapist education program that is accredited by a recognized  
453 accreditation agency; or
- 454 (ii)(A) provide satisfactory evidence that the applicant graduated from a physical  
455 therapist education program that prepares the applicant to engage in the  
456 practice of physical therapy, without restriction;
- 457 (B) provide satisfactory evidence that the education program described in  
458 Subsection (3)(b)(ii)(A) is recognized by the government entity responsible for  
459 recognizing a physical therapist education program in the country where the  
460 program is located; and
- 461 (C) pass a credential evaluation to ensure that the applicant has satisfied uniform  
462 educational requirements;
- 463 (c) after complying with Subsection (3)(b), pass a licensing examination;
- 464 (d) be able to read, write, speak, understand, and be understood in the English language  
465 and demonstrate proficiency to the satisfaction of the board if requested by the board;
- 466 ~~(e)(i) [consent to a criminal background check in accordance with Section~~  
467 ~~58-24b-302.1 and any requirements established by rule made in accordance with~~  
468 ~~Title 63G, Chapter 3, Utah Administrative Rulemaking Act]~~ consent to, and  
469 complete, a criminal background check, described in Section 58-1-301.5;  
470 (ii) meet any other standard related to the criminal background check described in  
471 Subsection (3)(e)(i), that the division establishes by rule in accordance with Title  
472 63G, Chapter 3, Utah Administrative Rulemaking Act; and  
473 (iii) disclose any criminal history the division requests on a form the division

474 approves; and

475 (f) meet any other requirements established by the division, by rule made in accordance  
476 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

477 (4) The division shall issue a license to ~~[a person]~~ an individual who holds a current  
478 unrestricted license to practice physical therapy in a state, district, or territory of the  
479 United States of America, other than Utah, if the ~~[person]~~ individual:

480 (a) completes the application process, including payment of fees;

481 (b) is able to read, write, speak, understand, and be understood in the English language  
482 and demonstrate proficiency to the satisfaction of the board if requested by the board;

483 (c) ~~[consents to a criminal background check in accordance with Section 58-24b-302.1~~  
484 ~~and any requirements established by rule made in accordance with Title 63G,~~

484a ~~Chapter~~

485 ~~3, Utah Administrative Rulemaking Act; and]~~

486 (i) consents to, and completes, a criminal background check, described in Section  
487 58-1-301.5;

488 (ii) meets any other standard related to the criminal background check described in  
489 Subsection (4)(c)(i), that the division establishes by rule in accordance with Title  
490 63G, Chapter 3, Utah Administrative Rulemaking Act; and

491 (iii) discloses any criminal history the division requests on a form the division  
492 approves; and

493 (d) meets any other requirements established by the division, by rule made in accordance  
494 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

495 (5)(a) Notwithstanding Subsection 58-1-307(1)(c), an individual may not engage in an  
496 internship in physical therapy, unless the ~~[person]~~ individual is:

497 (i) certified by the division; or

498 (ii) exempt from licensure under Section 58-24b-304.

499 (b) The provisions of Subsection (5)(a) apply, regardless of whether the individual is  
500 participating in the supervised clinical training program for the purpose of becoming  
501 a physical therapist or a physical therapist assistant.

502 Section 9. Section **58-31b-302** is amended to read:

503 **58-31b-302 . Qualifications for licensure or certification -- Criminal background**  
504 **checks.**

505 (1) An applicant for certification as a medication aide shall:

506 (a) submit an application to the division on a form ~~[prescribed by]~~ the division approves;

- 507 (b) pay a fee to the division as determined under Section 63J-1-504;
- 508 (c) have a high school diploma or its equivalent;
- 509 (d) have a current certification as a nurse aide, in good standing, from the Department of  
510 Health and Human Services;
- 511 (e) have a minimum of 2,000 hours of experience within the two years [~~prior to~~] before  
512 application, working as a certified nurse aide in a long-term care facility or another  
513 health care facility that is designated by the division in collaboration with the board;
- 514 (f) obtain letters of recommendation from a health care facility administrator and one  
515 licensed nurse familiar with the applicant's work practices as a certified nurse aide;
- 516 (g) be in a condition of physical and mental health that will permit the applicant to  
517 practice safely as a medication aide certified;
- 518 (h) have completed an approved education program or an equivalent as determined by  
519 the division in collaboration with the board;
- 520 (i) have passed the examinations as required by division rule made in collaboration with  
521 the board; and
- 522 (j) meet with the board, if requested, to determine the applicant's qualifications for  
523 certification.
- 524 (2) An applicant for licensure as a licensed practical nurse shall:
- 525 (a) submit to the division an application in a form [~~prescribed by~~]the division approves;
- 526 (b) pay to the division a fee determined under Section 63J-1-504;
- 527 (c) have a high school diploma or its equivalent;
- 528 (d) be in a condition of physical and mental health that will permit the applicant to  
529 practice safely as a licensed practical nurse;
- 530 (e) have completed an approved practical nursing education program or an equivalent as  
531 determined by the board;
- 532 (f) have passed the examinations as required by division rule made in collaboration with  
533 the board; and
- 534 (g) meet with the board, if requested, to determine the applicant's qualifications for  
535 licensure.
- 536 (3) An applicant for a registered nurse apprentice license shall:
- 537 (a) submit to the division an application form [~~prescribed by~~]the division approves;
- 538 (b) pay to the division a fee determined under Section 63J-1-504;
- 539 (c) have a high school diploma or its equivalent;
- 540 (d) be in a condition of physical and mental health that will allow the applicant to



- 541 practice safely as a registered nurse apprentice;
- 542 (e) as determined by an approved registered nursing education program, be:
- 543 (i) in good standing with the program; and
- 544 (ii) in the last semester, quarter, or competency experience;
- 545 (f) have written permission from the program in which the applicant is enrolled; and
- 546 (g) meet with the board, if requested, to determine the applicant's qualifications for
- 547 licensure.
- 548 (4) An applicant for licensure as a registered nurse shall:
- 549 (a) submit to the division an application form~~[-prescribed by-]~~the division approves;
- 550 (b) pay to the division a fee determined under Section 63J-1-504;
- 551 (c) have a high school diploma or its equivalent;
- 552 (d) be in a condition of physical and mental health that will allow the applicant to
- 553 practice safely as a registered nurse;
- 554 (e) have completed an approved registered nursing education program;
- 555 (f) have passed the examinations as required by division rule made in collaboration with
- 556 the board; and
- 557 (g) meet with the board, if requested, to determine the applicant's qualifications for
- 558 licensure.
- 559 (5) ~~[Applicants-]~~ An applicant for licensure as an advanced practice registered nurse shall:
- 560 (a) submit to the division an application on a form ~~[prescribed by]~~the division approves;
- 561 (b) pay to the division a fee determined under Section 63J-1-504;
- 562 (c) be in a condition of physical and mental health ~~[which will allow]~~ that allows the
- 563 applicant to practice safely as an advanced practice registered nurse;
- 564 (d) hold a current registered nurse license in good standing issued by the state or be
- 565 qualified at the time for licensure as a registered nurse;
- 566 (e)(i) have earned a graduate degree in:
- 567 (A) an advanced practice registered nurse nursing education program; or
- 568 (B) a related area of specialized knowledge as determined appropriate by the
- 569 division in collaboration with the board; or
- 570 (ii) have completed a nurse anesthesia program in accordance with Subsection
- 571 (5)(f)(ii);
- 572 (f) have completed:
- 573 (i) course work in patient assessment, diagnosis and treatment, and
- 574 pharmacotherapeutics from an education program approved by the division in

- 575 collaboration with the board; or
- 576 (ii) a nurse anesthesia program which is approved by the Council on Accreditation of  
577 Nurse Anesthesia Educational Programs;
- 578 (g) to practice within the psychiatric mental health nursing specialty, demonstrate, as  
579 described in division rule, that the applicant, after completion of a doctorate or  
580 master's degree required for licensure, is in the process of completing the applicant's  
581 clinical practice requirements in psychiatric mental health nursing, including in  
582 psychotherapy;
- 583 (h) have passed the examinations as required by division rule made in collaboration with  
584 the board;
- 585 (i) be currently certified by a program approved by the division in collaboration with the  
586 board and submit evidence satisfactory to the division of the certification; and
- 587 (j) meet with the board, if requested, to determine the applicant's qualifications for  
588 licensure.
- 589 (6) ~~[For each]~~ Each applicant for licensure or certification under this chapter, except an  
590 applicant under Subsection 58-31b-301(2)(b), shall:
- 591 ~~[(a) the applicant shall:]~~
- 592 ~~[(i) submit fingerprint cards in a form acceptable to the division at the time the  
593 application is filed; and]~~
- 594 ~~[(ii) consent to a fingerprint background check conducted by the Bureau of Criminal  
595 Identification and the Federal Bureau of Investigation regarding the application;]~~
- 596 ~~[(b) the division shall:]~~
- 597 ~~[(i) in addition to other fees authorized by this chapter, collect from each applicant  
598 submitting fingerprints in accordance with this section the fee that the Bureau of  
599 Criminal Identification is authorized to collect for the services provided under  
600 Section 53-10-108 and the fee charged by the Federal Bureau of Investigation for  
601 fingerprint processing for the purpose of obtaining federal criminal history record  
602 information;]~~
- 603 ~~[(ii) submit from each applicant the fingerprint card and the fees described in this  
604 Subsection (6)(b) to the Bureau of Criminal Identification; and]~~
- 605 ~~[(iii) obtain and retain in division records a signed waiver approved by the Bureau of  
606 Criminal Identification in accordance with Section 53-10-108 for each applicant;  
606a and]~~
- 607 ~~[(c) the Bureau of Criminal Identification shall, in accordance with the requirements of~~

- 608 Section 53-10-108:]
- 609 [(i) check the fingerprints submitted under Subsection (6)(b) against the applicable
- 609a state
- 610 and regional criminal records databases;]
- 611 [(ii) forward the fingerprints to the Federal Bureau of Investigation for a national
- 612 criminal history background check; and]
- 613 [(iii) provide the results from the state, regional, and nationwide criminal history
- 614 background checks to the division.]
- 615 (a) consent to, and complete, a criminal background check, described in Section
- 616 58-1-301.5;
- 617 (b) meet any other standard related to the criminal background check described in
- 618 Subsection (6)(a), that the division establishes by rule in accordance with Title 63G,
- 619 Chapter 3, Utah Administrative Rulemaking Act; and
- 620 (c) disclose any criminal history the division requests on a form the division approves.
- 621 [(7) For purposes of conducting the criminal background checks required in Subsection (6),
- 622 the division shall have direct access to criminal background information maintained
- 623 pursuant to Title 53, Chapter 10, Part 2, Bureau of Criminal Identification.]
- 624 [(8)(a)(i) Any new nurse license or certification issued under this section shall be
- 625 conditional, pending completion of the criminal background check.]
- 626 [(ii) Notwithstanding Title 63G, Chapter 4, Administrative Procedures Act, if the
- 626a criminal
- 627 background check discloses the applicant has failed to accurately disclose a
- 627a criminal
- 628 history, the license or certification shall be immediately and automatically
- 628a revoked upon
- 629 notice to the licensee by the division.]
- 630 [(b)(i) An individual whose conditional license or certification has been revoked
- 630a under
- 631 Subsection (8)(a) is entitled to a postrevocation hearing to challenge the
- 631a revocation.]
- 632 [(ii) A postrevocation hearing shall be conducted in accordance with Title 63G,
- 632a Chapter 4,
- 633 Administrative Procedures Act.]
- 634 [(9)] (7) If an individual has been charged with a violent felony, as defined in Subsection

635 76-3-203.5(1)(c), and, as a result, the individual has been convicted, entered a plea of  
 636 guilty or nolo contendere, or entered a plea of guilty or nolo contendere held in abeyance  
 637 pending the successful completion of probation, the division shall act upon the license as  
 638 required under Section 58-1-401.

639 ~~[(10)]~~ (8) If an individual has been charged with a felony other than a violent felony, as  
 640 defined in Subsection 76-3-203.5(1)(c), and, as a result, the individual has been  
 641 convicted, entered a plea of guilty or nolo contendere, or entered a plea of guilty or nolo  
 642 contendere held in abeyance pending the successful completion of probation, the  
 643 division shall determine whether the felony disqualifies the individual for licensure  
 644 under this chapter and act upon the license, as required, in accordance with Section  
 645 58-1-401.

646 ~~[(11) The division may not disseminate outside of the division any criminal history record  
 647 information that the division obtains from the Bureau of Criminal Identification or the  
 648 Federal Bureau of Investigation under the criminal background check requirements of  
 649 this section.]~~

650 Section 10. Section **58-42a-302** is amended to read:

651 **58-42a-302 . Qualifications for licensure.**

- 652 (1) An applicant for licensure as an occupational therapist shall:
- 653 (a) submit an application in a form ~~[as prescribed by]~~the division approves;
  - 654 (b) pay a fee as determined by the department under Section 63J-1-504;
  - 655 (c) graduate with a bachelor's or graduate degree for the practice of occupational therapy  
 656 from an education program accredited by the American Occupational Therapy  
 657 Association's Accreditation Council for Occupational Therapy Education, a  
 658 predecessor organization, or an equivalent organization as determined by division  
 659 rule;
  - 660 (d) if applying for licensure on or after July 1, 2015, complete a minimum of 24 weeks  
 661 of supervised fieldwork experience;
  - 662 (e) pass an examination approved by the division in consultation with the board and  
 663 administered by the National Board for Certification in Occupational Therapy, or by  
 664 another nationally recognized credentialing body as approved by division rule, to  
 665 demonstrate knowledge of the practice, skills, theory, and professional ethics related  
 666 to occupational therapy; and
  - 667 (f) ~~[if the applicant is applying to participate in the Occupational Therapy Licensure  
 668 Compact under Chapter 42b, Occupational Therapy Licensure Compact, consent to a~~

669 ~~criminal background check in accordance with Section 58-42a-302.1 and any~~  
 670 ~~requirements established by rule made in accordance with Title 63G, Chapter 3, Utah~~  
 671 ~~Administrative Rulemaking Act.]~~

672 (i) consent to, and complete, a criminal background check, described in Section  
 673 58-1-301.5;

674 (ii) meet any other standard related to the criminal background check described in  
 675 Subsection (1)(f)(i), that the division establishes by rule in accordance with Title  
 676 63G, Chapter 3, Utah Administrative Rulemaking Act; and

677 (iii) disclose any criminal history the division requests on a form the division  
 678 approves.

679 (2) ~~[All applicants]~~ An applicant for licensure as an occupational therapy assistant shall:

680 (a) submit an application in a form ~~[as prescribed by]~~ the division approves;

681 (b) pay a fee as determined by the department under Section 63J-1-504;

682 (c) graduate from an educational program for the practice of occupational therapy as an  
 683 occupational therapy assistant that is accredited by the American Occupational  
 684 Therapy Association's Accreditation Council for Occupational Therapy Education, a  
 685 predecessor organization, or an equivalent organization as determined by division  
 686 rule;

687 (d) if applying for licensure on or after July 1, 2015, complete a minimum of 16 weeks  
 688 of supervised fieldwork experience;

689 (e) pass an examination approved by the division in consultation with the board and  
 690 administered by the National Board for Certification in Occupational Therapy, or by  
 691 another nationally recognized credentialing body as approved by division rule, to  
 692 demonstrate knowledge of the practice, skills, theory, and professional ethics related  
 693 to occupational therapy; and

694 ~~(f) [if the applicant is applying to participate in the Occupational Therapy Licensure~~  
 695 ~~Compact under Chapter 42b, Occupational Therapy Licensure Compact, consent to a~~  
 696 ~~criminal background check in accordance with Section 58-42a-302.1 and any~~  
 697 ~~requirements established by rule made in accordance with Title 63G, Chapter 3, Utah~~  
 698 ~~Administrative Rulemaking Act.]~~

699 (i) consent to, and complete, a criminal background check, described in Section  
 700 58-1-301.5;

701 (ii) meet any other standard related to the criminal background check described in  
 702 Subsection (2)(f)(i), that the division establishes by rule in accordance with Title

- 703                    63G, Chapter 3, Utah Administrative Rulemaking Act; and  
 704                    (iii) disclose any criminal history the division requests on a form the division  
 705                    approves.
- 706 (3) Notwithstanding the other requirements of this section, the division may issue a license  
 707 as an occupational therapist or as an occupational therapy assistant to an applicant who:  
 708 (a) consents to a criminal background check in accordance with Section 58-42a-302 and  
 709 any requirements established by rule made in accordance with Title 63G, Chapter 3,  
 710 Utah Administrative Rulemaking Act; and  
 711 (b)(i) meets the requirements of receiving a license by endorsement under Section  
 712 58-1-302; or  
 713 (ii) has been licensed in a state, district, or territory of the United States, or in a  
 714 foreign country, where the education, experience, or examination requirements are  
 715 not substantially equal to the requirements of this state, if the applicant passes the  
 716 applicable examination described in Subsection (1)(e) or (2)(e).
- 717 Section 11. Section **58-44a-302** is amended to read:  
 718 **58-44a-302 . Qualifications for licensure.**
- 719 (1) An applicant for licensure as a nurse midwife shall:  
 720 (a) submit an application in a form [~~as prescribed by~~]the division approves;  
 721 (b) pay a fee as determined by the department under Section 63J-1-504;  
 722 (c) at the time of application for licensure hold a license in good standing as a registered  
 723 nurse in Utah, or be at that time qualified for a license as a registered nurse under  
 724 Title 58, Chapter 31b, Nurse Practice Act;  
 725 (d) have completed:  
 726 (i) a certified nurse midwifery education program accredited by the Accreditation  
 727 Commission for Midwifery Education and approved by the division; or  
 728 (ii) a nurse midwifery education program located outside of the United States which  
 729 is approved by the division and is equivalent to a program accredited by the  
 730 Accreditation Commission for Midwifery Education, as demonstrated by a  
 731 graduate's being accepted to sit for the national certifying examination  
 732 administered by the Accreditation Commission for Midwifery Education or its  
 733 designee;  
 734 (e) have passed examinations established by the division rule in collaboration with the  
 735 board within two years after completion of the approved education program required  
 736 under Subsection (1)(d); and

- 737 (f) ~~[complete and pass a criminal background check in accordance with Section~~  
 738 ~~58-44a-302.1.]~~
- 739 (i) consent to, and complete, a criminal background check, described in Section  
 740 58-1-301.5;
- 741 (ii) meet any other standard related to the criminal background check described in  
 742 Subsection (1)(f)(i), that the division establishes by rule in accordance with Title  
 743 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 744 (iii) disclose any criminal history the division requests on a form the division  
 745 approves.
- 746 (2) For purposes of Subsection (1)(d), as of January 1, 2010, an applicant shall have  
 747 completed a graduate degree, including post-master's certificate, in nurse midwifery  
 748 from the accredited education program or the accredited education program's equivalent.[:]
- 749 Section 12. Section **58-47b-302** is amended to read:
- 750 **58-47b-302 . License classifications -- Qualifications for licensure.**
- 751 (1) The division shall issue licenses under this chapter in the classifications of:
- 752 (a) massage therapist;
- 753 (b) massage apprentice;
- 754 (c) massage assistant; and
- 755 (d) massage assistant in-training.
- 756 (2) An applicant for licensure as a massage therapist shall:
- 757 (a) submit an application in a form ~~[prescribed by]~~the division approves;
- 758 (b) pay a fee determined by the department under Section 63J-1-504;
- 759 (c) be 18 years old or older;
- 760 (d) have either:
- 761 (i)(A) graduated from a school of massage having a curriculum that meets  
 762 standards established by division rule made in collaboration with the board and  
 763 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
 764 Act; or
- 765 (B) completed equivalent education and training in compliance with division rule  
 766 made in accordance with Title 63G, Chapter 3, Utah Administrative  
 767 Rulemaking Act; or
- 768 (ii) completed a massage apprenticeship program consisting of a minimum of 1,000  
 769 hours of supervised training and in accordance with standards established by  
 770 division rule made in collaboration with the board and in accordance with Title

- 771                   63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 772       (e) pass:
- 773           (i) the Federation of State Massage Therapy Boards Massage and Bodywork
- 774                Licensing Examination; or
- 775           (ii) any other examination established by division rule made in collaboration with the
- 776                board and in accordance with Title 63G, Chapter 3, Utah Administrative
- 777                Rulemaking Act.
- 778 (3) An applicant for licensure as a massage apprentice shall:
- 779       (a) submit an application in a form [~~prescribed by~~]the division approves;
- 780       (b) pay a fee determined by the department under Section 63J-1-504;
- 781       (c) be 18 years old or older;
- 782       (d) provide satisfactory evidence to the division that the applicant will practice as a
- 783            massage apprentice only under the direct supervision of a licensed massage therapist
- 784            in good standing who, for at least 6,000 hours, has engaged in the lawful practice of
- 785            massage therapy as a licensed massage therapist; and
- 786       (e) pass an examination as required by division rule made in accordance with Title 63G,
- 787            Chapter 3, Utah Administrative Rulemaking Act.
- 788 (4)(a) An applicant for licensure as a massage assistant shall:
- 789       (i) submit an application in a form [~~prescribed by~~]the division approves;
- 790       (ii) pay a fee determined by the department in accordance with Section 63J-1-504;
- 791       (iii) be 18 years old or older;
- 792       (iv) subject to Subsection (4)(b), complete at least 300 hours of education and
- 793            training approved by division rule made accordance with Title 63G, Chapter 3,
- 794            Utah Administrative Rulemaking Act;
- 795       (v) provide satisfactory evidence to the division that the applicant will practice as a
- 796            massage assistant only under the indirect supervision of a massage therapy
- 797            supervisor; and
- 798       (vi) pass an examination as required by division rule made in accordance with Title
- 799            63G, Chapter 3, Utah Administrative Rulemaking Act.
- 800 (b) The 300-hour education and training requirement described in Subsection (4)(a) shall
- 801       include:
- 802       (i) at least 150 hours of education and training while the applicant is:
- 803            (A) enrolled in massage school; or
- 804            (B) licensed as a massage assistant in-training and under the direct supervision of



805 a massage therapist in good standing who, for at least 6,000 hours, has engaged  
 806 in the lawful practice of massage therapy; and

807 (ii) at least 150 hours of education and training while the applicant is:

808 (A) enrolled in massage school; or

809 (B) licensed as a massage assistant in-training and under the indirect supervision  
 810 of a massage therapist in good standing who, for at least 6,000 hours, has  
 811 engaged in the lawful practice of massage therapy.

812 (5) An applicant for licensure as a massage assistant in-training shall:

813 (a) submit an application in a form ~~[prescribed by]~~the division approves;

814 (b) pay a fee determined by the department in accordance with Section 63J-1-504;

815 (c) be 18 years old or older; and

816 (d) provide satisfactory evidence to the division that the applicant will practice as a  
 817 massage assistant in-training under the supervision of a massage therapist for a  
 818 period of no more than six months for the purpose of satisfying the requirements  
 819 described in Subsections (4)(a)(iv) and (4)(b) for licensure as a massage assistant.

820 (6)(a) A massage therapist may supervise at one time up to six individuals licensed as a  
 821 massage apprentice or massage assistant in-training.

822 (b) A massage therapy supervisor may supervise at one time up to six individuals  
 823 licensed as a massage assistant.

824 (7) A new massage therapist, massage apprentice, massage assistant, or massage assistant  
 825 in-training applicant shall~~[-submit to and pass a criminal background check in  
 826 accordance with Section 58-47b-302.1 and any requirements established by division rule  
 827 made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.]~~ :

828 (a) consent to, and complete, a criminal background check, described in Section  
 829 58-1-301.5;

830 (b) meet any other standard related to the criminal background check described in  
 831 Subsection (7)(a), that the division establishes by rule in accordance with Title 63G,  
 832 Chapter 3, Utah Administrative Rulemaking Act; and

833 (c) disclose any criminal history the division requests on a form the division approves.

834 Section 13. Section **58-55-302** is amended to read:

835 **58-55-302 . Qualifications for licensure.**

836 (1) Each applicant for a license under this chapter shall:

837 (a) submit an application ~~[prescribed by]~~the division approves;

838 (b) pay a fee as determined by the department under Section 63J-1-504;

- 839 (c) meet the examination requirements established by this section and by rule by the  
840 commission with the concurrence of the director, which requirements include:
- 841 (i) for licensure as an apprentice electrician, apprentice plumber, or specialty  
842 contractor, no division-administered examination is required;
- 843 (ii) for licensure as a general building contractor, general engineering contractor,  
844 residential and small commercial contractor, general plumbing contractor,  
845 residential plumbing contractor, general electrical contractor, or residential  
846 electrical contractor, the only required division-administered examination is a  
847 division-administered examination that covers information from the 25-hour  
848 course described in Subsection (1)(e)(iii), which course may have been previously  
849 completed as part of applying for any other license under this chapter, and, if the  
850 25-hour course was completed on or after July 1, 2019, the five-hour business law  
851 course described in Subsection (1)(e)(iv); and
- 852 (iii) if required ~~[in]~~ by Section 58-55-304 and the applicant is a business entity, that an  
853 individual qualifier~~[must]~~ pass the required division-administered examination~~[if~~  
854 ~~the applicant is a business entity]~~;
- 855 (d) ~~[if an]~~ for licensure as an apprentice, identify the proposed supervisor of the  
856 apprenticeship;
- 857 (e) ~~[if an applicant for a contractor's license]~~ for licensure as a contractor:
- 858 (i) produce satisfactory evidence of financial responsibility, except for a construction  
859 trades instructor for whom evidence of financial responsibility is not required;
- 860 (ii) produce satisfactory evidence of:
- 861 (A) except as provided in Subsection (2)(a), and except that no employment  
862 experience is required for licensure as a specialty contractor, two years  
863 full-time paid employment experience in the construction industry, which  
864 employment experience, unless more specifically described in this section, may  
865 be related to any contracting classification and does not have to include  
866 supervisory experience; and
- 867 (B) knowledge of the principles of the conduct of business as a contractor,  
868 reasonably necessary for the protection of the public health, safety, and welfare;
- 869 (iii) except as otherwise provided by rule by the commission with the concurrence of  
870 the director, complete a 25-hour course ~~[established by rule by]~~ that the  
871 commission with the concurrence of the director~~[, which]~~ establishes by rule, that  
872 is taught by an approved prelicensure course provider, and which ~~[course]~~ may

- 873 include:
- 874 (A) construction business practices;
- 875 (B) bookkeeping fundamentals;
- 876 (C) mechanics lien fundamentals;
- 877 (D) other aspects of business and construction principles considered important by
- 878 the commission with the concurrence of the director; and
- 879 (E) for no additional fee, a provider-administered examination at the end of the
- 880 25-hour course;
- 881 (iv) if the applicant is applying for licensure as a general building contractor, general
- 882 engineering contractor, residential and small commercial contractor, general
- 883 plumbing contractor, residential plumbing contractor, general electrical contractor,
- 884 or residential electrical contractor, other than an applicant who completed the
- 885 25-hour course described in Subsection (1)(e)(iii) before July 1, 2019, complete a
- 886 five-hour business and law course[-] :
- 887 (A) [established by rule by-] that the commission, with the concurrence of the
- 888 director, establishes by rule; and
- 889 (B) [-which] that is taught by an approved prelicensure course provider[-,if an
- 890 applicant for licensure as a general building contractor, general engineering
- 891 contractor, residential and small commercial contractor, general plumbing
- 892 contractor, residential plumbing contractor, general electrical contractor, or
- 893 residential electrical contractor, except that if the 25-hour course described in
- 894 Subsection (1)(e)(iii) was completed before July 1, 2019, the applicant does not
- 895 need to take the business and law course];
- 896 (v)(A) for licensure as a residential electrical contractor, be a licensed master
- 897 electrician if an applicant for an electrical contractor's license or a licensed
- 898 master residential electrician[- if an applicant for a residential electrical
- 899 contractor's license];
- 900 (B) for licensure as a residential plumbing contractor, be a licensed master
- 901 plumber if an applicant for a plumbing contractor's license or a licensed master
- 902 residential plumber[- if an applicant for a residential plumbing contractor's
- 903 license]; or
- 904 (C) for licensure as an elevator contractor, be a licensed elevator mechanic and
- 905 produce satisfactory evidence of three years experience as an elevator mechanic[-
- 906 if an applicant for an elevator contractor's license];[-and]

907 (vi) when the applicant is an unincorporated entity, provide a list of the one or more  
 908 individuals who hold an ownership interest in the applicant as of the day on which  
 909 the application is filed that includes for each individual:

910 (A) the individual's name, address, birth date, and social security number or other  
 911 satisfactory evidence of the applicant's identity permitted under rules made by  
 912 the division in accordance with Title 63G, Chapter 3, Utah Administrative  
 913 Rulemaking Act; and

914 (B) whether the individual will engage in a construction trade; and

915 (vii) the applicant or, if the applicant is a business entity as described in Section  
 916 58-55-304, an individual qualifier and each individual with at least a 10% voting  
 917 interest in the business entity shall:

918 (A) consent to, and complete, a criminal background check, described in Section  
 919 58-1-301.5;

920 (B) meet any other standard related to the criminal background check described in  
 921 Subsection (1)(e)(vii)(A), that the division establishes by rule in accordance  
 922 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and

923 (C) disclose any criminal history the division requests on a form the division  
 924 approves; and

925 (f) ~~[if an applicant]~~for licensure as a construction trades instructor~~[license]~~, satisfy any  
 926 additional requirements ~~[established by rule]~~ the division establishes by rule.

927 (2)(a) If the applicant for a contractor's license described in Subsection (1) is a building  
 928 inspector, the applicant may satisfy Subsection (1)(e)(ii)(A) by producing satisfactory  
 929 evidence of two years of full-time paid employment experience as a building  
 930 inspector, which shall include at least one year of full-time experience as a licensed  
 931 combination inspector.

932 (b) The applicant shall file the following with the division before the division issues the  
 933 license:

934 (i) proof of workers' compensation insurance ~~[which]~~ that covers employees of the  
 935 applicant in accordance with applicable Utah law;

936 (ii) proof of public liability insurance in coverage amounts and form established by  
 937 rule except for a construction trades instructor for whom public liability insurance  
 938 is not required; and

939 (iii) proof of registration as required by applicable law with the:

940 (A) Department of Commerce;

- 941 (B) Division of Corporations and Commercial Code;
- 942 (C) Unemployment Insurance Division in the Department of Workforce Services,
- 943 for purposes of Title 35A, Chapter 4, Employment Security Act;
- 944 (D) State Tax Commission; and
- 945 (E) Internal Revenue Service.
- 946 (3) In addition to the general requirements for each applicant in Subsection (1), [applicants]
- 947 an applicant shall comply with the following requirements to be licensed in the
- 948 following classifications:
- 949 (a)(i) [A-] a master plumber shall produce satisfactory evidence that the applicant:
- 950 (A) has been a licensed journeyman plumber for at least two years and had two
- 951 years of supervisory experience as a licensed journeyman plumber in
- 952 accordance with division rule;
- 953 (B) has received at least an associate of applied science degree or similar degree
- 954 following the completion of a course of study approved by the division and had
- 955 one year of supervisory experience as a licensed journeyman plumber in
- 956 accordance with division rule; or
- 957 (C) meets the qualifications for expedited licensure as established by rules made
- 958 by the commission, with the concurrence of the director, in accordance with
- 959 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that clearly
- 960 demonstrate the applicant has the knowledge and skills to be a licensed master
- 961 plumber[-] ;
- 962 (ii) [An] an individual holding a valid Utah license as a journeyman plumber, based
- 963 on at least four years of practical experience as a licensed apprentice under the
- 964 supervision of a licensed journeyman plumber and four years as a licensed
- 965 journeyman plumber, in effect immediately [~~prior to~~] before May 5, 2008, is on
- 966 and after May 5, 2008, considered to hold a current master plumber license under
- 967 this chapter, and satisfies the requirements of this Subsection (3)(a) for the
- 968 purpose of renewal or reinstatement of that license under Section 58-55-303[-] ; and
- 969 (iii) [An] an individual holding a valid plumbing contractor's license or residential
- 970 plumbing contractor's license, in effect immediately [~~prior to~~] before May 5, 2008,
- 971 is on or after May 5, 2008:
- 972 (A) considered to hold a current master plumber license under this chapter if
- 973 licensed as a plumbing contractor and a journeyman plumber, and satisfies the
- 974 requirements of this Subsection (3)(a) for purposes of renewal or reinstatement

975 of that license under Section 58-55-303; and

976 (B) considered to hold a current residential master plumber license under this  
977 chapter if licensed as a residential plumbing contractor and a residential  
978 journeyman plumber, and satisfies the requirements of this Subsection (3)(a)  
979 for purposes of renewal or reinstatement of that license under Section  
980 58-55-303[-] ;

981 (b) [A] a master residential plumber applicant shall produce satisfactory evidence that the  
982 applicant:

983 (i) has been a licensed residential journeyman plumber for at least two years and had  
984 two years of supervisory experience as a licensed residential journeyman plumber  
985 in accordance with division rule; or

986 (ii) meets the qualifications for expedited licensure as established by rules made by  
987 the commission, with the concurrence of the director, in accordance with Title  
988 63G, Chapter 3, Utah Administrative Rulemaking Act, that clearly demonstrate  
989 the applicant has the knowledge and skills to be a licensed master residential  
990 plumber[-] ;

991 (c) [A] a journeyman plumber applicant shall produce satisfactory evidence of:

992 (i) successful completion of the equivalent of at least four years of full-time training  
993 and instruction as a licensed apprentice plumber under supervision of a licensed  
994 master plumber or journeyman plumber and in accordance with a planned  
995 program of training approved by the division;

996 (ii) at least eight years of full-time experience approved by the division in  
997 collaboration with the Electricians and Plumbers Licensing Board; or

998 (iii) meeting the qualifications for expedited licensure as established by rules made  
999 by the commission, with the concurrence of the director, in accordance with Title  
1000 63G, Chapter 3, Utah Administrative Rulemaking Act, that clearly demonstrate  
1001 the applicant has the knowledge and skills to be a licensed journeyman plumber[-] ;

1002 (d) [A] a residential journeyman plumber shall produce satisfactory evidence of:

1003 (i) completion of the equivalent of at least three years of full-time training and  
1004 instruction as a licensed apprentice plumber under the supervision of a licensed  
1005 residential master plumber, licensed residential journeyman plumber, or licensed  
1006 journeyman plumber in accordance with a planned program of training approved  
1007 by the division;

1008 (ii) completion of at least six years of full-time experience in a maintenance or repair

- 1009 trade involving substantial plumbing work; or
- 1010 (iii) meeting the qualifications for expedited licensure as established by rules made
- 1011 by the commission, with the concurrence of the director, in accordance with Title
- 1012 63G, Chapter 3, Utah Administrative Rulemaking Act, that clearly demonstrate
- 1013 the applicant has the knowledge and skills to be a licensed residential journeyman
- 1014 plumber[-] ;
- 1015 (e) [The] the conduct of a licensed apprentice [plumbers] plumber and [their] the licensed
- 1016 apprentice plumber's licensed [supervisors] supervisor shall be in accordance with the
- 1017 following:
- 1018 (i) while engaging in the trade of plumbing, a licensed apprentice plumber shall be
- 1019 under the immediate supervision of a licensed master plumber, licensed residential
- 1020 master plumber, licensed journeyman plumber, or licensed residential journeyman
- 1021 plumber;
- 1022 (ii) beginning in a licensed apprentice plumber's fourth year of training, a licensed
- 1023 apprentice plumber may work without supervision for a period not to exceed eight
- 1024 hours in any 24-hour period; and
- 1025 (iii) rules made by the commission, with the concurrence of the director, in
- 1026 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 1027 regarding the ratio of apprentices allowed under the immediate supervision of a
- 1028 licensed supervisor, including the ratio of apprentices in their fourth year of
- 1029 training or later that are allowed to be under the immediate supervision of a
- 1030 licensed supervisor[-] ;
- 1031 (f) [A] a master electrician applicant shall produce satisfactory evidence that the
- 1032 applicant:
- 1033 (i) is a graduate electrical engineer of an accredited college or university approved by
- 1034 the division and has one year of practical electrical experience as a licensed
- 1035 apprentice electrician;
- 1036 (ii) is a graduate of an electrical trade school, having received an associate of applied
- 1037 sciences degree following successful completion of a course of study approved by
- 1038 the division, and has two years of practical experience as a licensed journeyman
- 1039 electrician;
- 1040 (iii) has four years of practical experience as a journeyman electrician; or
- 1041 (iv) meets the qualifications for expedited licensure as established by rules made by
- 1042 the commission, with the concurrence of the director, in accordance with Title

- 1043 63G, Chapter 3, Utah Administrative Rulemaking Act, that clearly demonstrate  
1044 the applicant has the knowledge and skills to be a licensed master electrician[-] ;
- 1045 (g) [A] a master residential electrician applicant shall produce satisfactory evidence that  
1046 the applicant:
- 1047 (i) has at least two years of practical experience as a residential journeyman  
1048 electrician; or
- 1049 (ii) meets the qualifications for expedited licensure as established by rules made by  
1050 the commission, with the concurrence of the director, in accordance with Title  
1051 63G, Chapter 3, Utah Administrative Rulemaking Act, that clearly demonstrate  
1052 the applicant has the knowledge and skills to be a master residential electrician[-] ;
- 1053 (h) [A] a journeyman electrician applicant shall produce satisfactory evidence that the  
1054 applicant:
- 1055 (i) has successfully completed at least four years of full-time training and instruction  
1056 as a licensed apprentice electrician under the supervision of a master electrician or  
1057 journeyman electrician and in accordance with a planned training program  
1058 approved by the division;
- 1059 (ii) has at least eight years of full-time experience approved by the division in  
1060 collaboration with the Electricians and Plumbers Licensing Board; or
- 1061 (iii) meets the qualifications for expedited licensure as established by rules made by  
1062 the commission, with the concurrence of the director, in accordance with Title  
1063 63G, Chapter 3, Utah Administrative Rulemaking Act, that clearly demonstrate  
1064 the applicant has the knowledge and skills to be a licensed journeyman electrician[-] ;
- 1065 (i) [A] a residential journeyman electrician applicant shall produce satisfactory evidence  
1066 that the applicant:
- 1067 (i) has successfully completed two years of training in an electrical training program  
1068 approved by the division;
- 1069 (ii) has four years of practical experience in wiring, installing, and repairing electrical  
1070 apparatus and equipment for light, heat, and power under the supervision of a  
1071 licensed master, journeyman, residential master, or residential journeyman  
1072 electrician; or
- 1073 (iii) meets the qualifications for expedited licensure as established by rules made by  
1074 the commission, with the concurrence of the director, in accordance with Title  
1075 63G, Chapter 3, Utah Administrative Rulemaking Act, that clearly demonstrate  
1076 the applicant has the knowledge and skills to be a licensed residential journeyman



- 1077           electrician[-] ;
- 1078       (j) ~~[The]~~ the conduct of a licensed apprentice ~~[electricians]~~ electrician and ~~[their]~~ the
- 1079           licensed apprentice electrician's licensed ~~[supervisors]~~ supervisor shall be in
- 1080           accordance with the following:
- 1081       (i) a licensed apprentice electrician shall be under the immediate supervision of a
- 1082           licensed master, journeyman, residential master, or residential journeyman
- 1083           electrician;
- 1084       (ii) beginning in a licensed apprentice electrician's fourth year of training, a licensed
- 1085           apprentice electrician may work without supervision for a period not to exceed
- 1086           eight hours in any 24-hour period;
- 1087       (iii) rules made by the commission, with the concurrence of the director, in
- 1088           accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 1089           regarding the ratio of apprentices allowed under the immediate supervision of a
- 1090           licensed supervisor, including the ratio of apprentices in their fourth year of
- 1091           training or later that are allowed to be under the immediate supervision of a
- 1092           licensed supervisor; and
- 1093       (iv) a licensed supervisor may have up to three licensed apprentice electricians on a
- 1094           residential project, or more if established by rules made by the commission, in
- 1095           concurrence with the director, in accordance with Title 63G, Chapter 3, Utah
- 1096           Administrative Rulemaking Act[-] ;
- 1097       (k) ~~[An]~~ an alarm company applicant shall:
- 1098       (i) have a qualifying agent who:
- 1099           (A) is an alarm company officer, alarm company owner, alarm company
- 1100           proprietor, an alarm company trustee, or other responsible management
- 1101           personnel;
- 1102           (B) demonstrates 6,000 hours of experience in the alarm company business;
- 1103           (C) demonstrates 2,000 hours of experience as a manager or administrator in the
- 1104           alarm company business or in a construction business; and
- 1105           (D) passes an examination component~~[-established by rule by]~~ the commission,
- 1106           with the concurrence of the director, establishes by rule;
- 1107       (ii) ~~[provide the name, address, date of birth, social security number, fingerprint card,~~
- 1108           ~~and consent to a background check in accordance with Section 58-55-302.1 and~~
- 1109           ~~requirements established by division rule made in accordance with Title 63G,~~
- 1110           ~~Chapter 3, Utah Administrative Rulemaking Act, for]~~ require that each alarm

- 1111 company officer, alarm company owner, alarm company proprietor, alarm  
 1112 company trustee, and responsible management personnel with direct responsibility  
 1113 for managing operations of the applicant within the state[;] :
- 1114 (A) provide the applicant's name, address, date of birth, social security number,  
 1115 and fingerprints to the division;
- 1116 (B) consent to, and complete, a criminal background check, described in Section  
 1117 58-1-301.5;
- 1118 (C) meet any other standard related to the criminal background check described in  
 1119 Subsection (2)(k)(ii)(B), that the division establishes by rule in accordance  
 1120 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 1121 (D) disclose any criminal history the division requests on a form the division  
 1122 approves;
- 1123 (iii) document that none of the [persons] individuals described in Subsection (3)(k)(ii):
- 1124 (A) have been declared by any court of competent jurisdiction incompetent by  
 1125 reason of mental defect or disease and not been restored; or
- 1126 (B) are currently suffering from habitual drunkenness or from drug addiction or  
 1127 dependence;
- 1128 (iv) file and maintain with the division evidence of:
- 1129 (A) comprehensive general liability insurance in form and in amounts [~~to be~~]  
 1130 established by rule by the commission with the concurrence of the director;
- 1131 (B) workers' compensation insurance that covers employees of the applicant in  
 1132 accordance with applicable Utah law; and
- 1133 (C) registration as is required by applicable law with the:
- 1134 (I) Division of Corporations and Commercial Code;
- 1135 (II) Unemployment Insurance Division in the Department of Workforce  
 1136 Services, for purposes of Title 35A, Chapter 4, Employment Security Act;
- 1137 (III) State Tax Commission; and
- 1138 (IV) Internal Revenue Service; and
- 1139 (v) meet with the division and board[;] :
- 1140 (l) [~~Each~~] an applicant for licensure as an alarm company agent shall:
- 1141 (i) submit an application in a form [~~prescribed by~~]the division approves  
 1142 accompanied by fingerprint cards;
- 1143 (ii) pay a fee determined by the department under Section 63J-1-504;
- 1144 (iii) [~~submit to and pass a criminal background check in accordance with Section~~

- 1145 58-55-302.1 and requirements established by division rule made in accordance  
 1146 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;]
- 1147 (A) consent to, and complete, a criminal background check, described in Section  
 1148 58-1-301.5;
- 1149 (B) meet any other standard related to the criminal background check described in  
 1150 Subsection (3)(l)(iii)(A), that the division establishes by rule in accordance  
 1151 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 1152 (C) disclose any criminal history the division requests on a form the division  
 1153 approves;
- 1154 (iv) not have been declared by any court of competent jurisdiction incompetent by  
 1155 reason of mental defect or disease and not been restored;
- 1156 (v) not be currently suffering from habitual drunkenness or from drug addiction or  
 1157 dependence; and
- 1158 (vi) meet with the division and board if requested by the division or the board[-] ; and
- 1159 (m)[(†) ~~Each applicant for licensure as an elevator mechanic shall:~~]
- 1160 (i) an applicant for licensure as an elevator mechanic shall:
- 1161 (A) provide documentation of experience and education credits of not less than  
 1162 three years work experience in the elevator industry, in construction,  
 1163 maintenance, or service and repair;[-and]
- 1164 (B) satisfactorily complete a written examination administered by the division  
 1165 established by rule under Section 58-1-203; or
- 1166 (C) provide certificates of completion of an apprenticeship program for elevator  
 1167 mechanics, having standards substantially equal to those of this chapter and  
 1168 registered with the United States Department of Labor Bureau Apprenticeship  
 1169 and Training or a state apprenticeship council[-] ; and
- 1170 (ii)[(A) ~~If an elevator contractor licensed under this chapter cannot find a~~  
 1171 ~~licensed elevator mechanic to perform the work of erecting, constructing,~~  
 1172 ~~installing, altering, servicing, repairing, or maintaining an elevator, the~~  
 1173 ~~contractor may:~~]
- 1174 (A) if an elevator contractor licensed under this chapter cannot find a licensed  
 1175 elevator mechanic to perform the work of erecting, constructing, installing,  
 1176 altering, servicing, repairing, or maintaining an elevator, the contractor may  
 1177 [(†)] notify the division of the unavailability of licensed personnel[;] and [(H)]  
 1178 request the division issue a temporary elevator mechanic license to an

1179 individual certified by the contractor as having an acceptable combination  
 1180 of documented experience and education to perform the work described in  
 1181 this Subsection (3)(m)(ii)(A)[-] ; and

1182 (B)[(H) The] if an elevator contractor requests that the division issue a  
 1183 temporary elevator license as described in Subsection (3)(m)(ii)(A), the  
 1184 division may issue a temporary elevator mechanic license to an individual  
 1185 certified under Subsection [(3)(m)(ii)(A)(H)] (3)(m)(ii)(A) upon application  
 1186 by the individual, accompanied by the appropriate fee as determined by the  
 1187 department under Section 63J-1-504[-] and [(H) The division] shall specify the  
 1188 time period for which the license is valid and may renew the license for an  
 1189 additional time period upon [its] the division's determination that a shortage  
 1190 of licensed elevator mechanics continues to exist.

1191 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
 1192 division may make rules establishing when Federal Bureau of Investigation records shall  
 1193 be checked for applicants as an alarm company or alarm company agent under this  
 1194 section and Section 58-55-302.1.

1195 (5)(a) [An] The division shall deny an application for licensure under this chapter[- shall  
 1196 be denied] if:

1197 (i) the applicant has had a previous license, which was issued under this chapter,  
 1198 suspended or revoked within two years before the date of the applicant's  
 1199 application;

1200 (ii)(A) the applicant is a partnership, corporation, or limited liability company;  
 1201 and

1202 (B) any corporate officer, director, shareholder holding 25% or more of the stock  
 1203 in the applicant, partner, member, agent acting as a qualifier, or any person  
 1204 occupying a similar status, performing similar functions, or directly or  
 1205 indirectly controlling the applicant has served in any similar capacity with any  
 1206 person or entity [which] that has had a previous license, which was issued under  
 1207 this chapter, suspended or revoked within two years before the date of the  
 1208 applicant's application;

1209 (iii)(A) the applicant is an individual or sole proprietorship; and

1210 (B) any owner or agent acting as a qualifier has served in any capacity listed in  
 1211 Subsection (5)(a)(ii)(B) in any entity which has had a previous license, which  
 1212 was issued under this chapter, suspended or revoked within two years before

- 1213 the date of the applicant's application; or
- 1214 (iv)(A) the applicant includes an individual who was an owner, director, or
- 1215 officer of an unincorporated entity at the time the entity's license under this
- 1216 chapter was revoked; and
- 1217 (B) the application for licensure is filed within 60 months after the revocation of
- 1218 the unincorporated entity's license.
- 1219 (b) ~~[An]~~ The appropriate licensing board shall review an application for licensure under
- 1220 this chapter [shall be reviewed by the appropriate licensing board prior to] before
- 1221 approval if:
- 1222 (i) the applicant has had a previous license, which was issued under this chapter,
- 1223 suspended or revoked more than two years before the date of the applicant's
- 1224 application;
- 1225 (ii)(A) the applicant is a partnership, corporation, or limited liability company;
- 1226 and
- 1227 (B) any corporate officer, director, shareholder holding 25% or more of the stock
- 1228 in the applicant, partner, member, agent acting as a qualifier, or any person
- 1229 occupying a similar status, performing similar functions, or directly or
- 1230 indirectly controlling the applicant has served in any similar capacity with any
- 1231 person or entity ~~[which]~~ that has had a previous license, which was issued under
- 1232 this chapter, suspended or revoked more than two years before the date of the
- 1233 applicant's application; or
- 1234 (iii)(A) the applicant is an individual or sole proprietorship; and
- 1235 (B) any owner or agent acting as a qualifier has served in any capacity listed in
- 1236 Subsection (5)(a)(ii)(B) in any entity ~~[which]~~ that has had a previous license,
- 1237 which was issued under this chapter, suspended or revoked more than two
- 1238 years before the date of the applicant's application.
- 1239 (6)(a)(i) A licensee that is an unincorporated entity shall file an ownership status
- 1240 report with the division every 30 days after the day on which the license is issued
- 1241 if the licensee has more than five owners who are individuals who:
- 1242 (A) own an interest in the contractor that is an unincorporated entity;
- 1243 (B) own, directly or indirectly, less than an 8% interest, as defined by rule made
- 1244 by the division in accordance with Title 63G, Chapter 3, Utah Administrative
- 1245 Rulemaking Act, in the unincorporated entity; and
- 1246 (C) engage, or will engage, in a construction trade in the state as owners of the

- 1247 contractor described in Subsection (6)(a)(i)(A).
- 1248 (ii) If the licensee has five or fewer owners described in Subsection (6)(a)(i), the  
1249 licensee shall provide the ownership status report with an application for renewal  
1250 of licensure.
- 1251 (b) An ownership status report required under this Subsection (6) shall:
- 1252 (i) specify each addition or deletion of an owner:
- 1253 (A) for the first ownership status report, after the day on which the unincorporated  
1254 entity is licensed under this chapter; and
- 1255 (B) for a subsequent ownership status report, after the day on which the previous  
1256 ownership status report is filed;
- 1257 (ii) be in a format [~~prescribed by~~]the division approves and that includes for each  
1258 owner, regardless of the owner's percentage ownership in the unincorporated  
1259 entity, the information described in Subsection (1)(e)(vi);
- 1260 (iii) list the name of:
- 1261 (A) each officer or manager of the unincorporated entity; and
- 1262 (B) each other individual involved in the operation, supervision, or management  
1263 of the unincorporated entity; and
- 1264 (iv) be accompanied by a fee set by the division in accordance with Section 63J-1-504  
1265 if the ownership status report indicates there is a change described in Subsection  
1266 (6)(b)(i).
- 1267 (c) The division may audit, at any time, [~~audit~~] an ownership status report under this  
1268 Subsection (6):
- 1269 (i) to determine if financial responsibility has been demonstrated or maintained as  
1270 required under Section 58-55-306; and
- 1271 (ii) to determine compliance with Subsection 58-55-501(23), (24), or (26) or  
1272 Subsection 58-55-502(8) or (9).
- 1273 (7)(a) An unincorporated entity that provides labor to an entity licensed under this  
1274 chapter by providing an individual who owns an interest in the unincorporated entity  
1275 to engage in a construction trade in Utah shall file with the division:
- 1276 (i) before the individual who owns an interest in the unincorporated entity engages in  
1277 a construction trade in Utah, a current list of the one or more individuals who hold  
1278 an ownership interest in the unincorporated entity that includes for each individual:
- 1279 (A) the individual's name, address, birth date, and social security number; and  
1280 (B) whether the individual will engage in a construction trade; and

1281 (ii) every 30 days after the day on which the unincorporated entity provides the list  
 1282 described in Subsection (7)(a)(i), an ownership status report containing the  
 1283 information that would be required under Subsection (6) if the unincorporated  
 1284 entity were a licensed contractor.

1285 (b) When filing an ownership list described in Subsection (7)(a)(i) or an ownership  
 1286 status report described in Subsection [~~(7)(a)(i)~~] (7)(a)(ii) an unincorporated entity  
 1287 shall pay a fee set by the division in accordance with Section 63J-1-504.

1288 (8) This chapter may not be interpreted to create or support an express or implied  
 1289 independent contractor relationship between an unincorporated entity described in  
 1290 Subsection (6) or (7) and the owners of the unincorporated entity for any purpose,  
 1291 including income tax withholding.

1292 (9)(a) A social security number provided under Subsection (1)(e)(vi) or (3)(k)(ii) is a  
 1293 private record under Subsection 63G-2-302(1)(i).

1294 (b) The division may designate an applicant's evidence of identity under Subsection  
 1295 (1)(e)(vi) as a private record in accordance with Section 63G-2-302.

1296 Section 14. Section **58-60-205** is amended to read:

1297 **58-60-205 . Qualifications for licensure or certification as a clinical social worker,**  
 1298 **certified social worker, and social service worker.**

1299 (1) An applicant for licensure as a clinical social worker shall:

1300 (a) submit an application on a form [~~provided by~~]the division approves;

1301 (b) pay a fee determined by the department under Section 63J-1-504;

1302 (c) produce certified transcripts from an accredited institution of higher education  
 1303 recognized by the division in collaboration with the board verifying satisfactory  
 1304 completion of an education and an earned degree as follows:

1305 (i) a master's degree in a social work program accredited by the Council on Social  
 1306 Work Education or by the Canadian Association of Schools of Social Work; or

1307 (ii) a doctoral degree that contains a clinical social work concentration and practicum  
 1308 approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah  
 1309 Administrative Rulemaking Act, that is consistent with Section 58-1-203;

1310 (d) if required under federal law for any licensee as a clinical social worker to qualify as  
 1311 an eligible professional under CMS rules for Medicare payment, document  
 1312 completion of:

1313 (i) not less than 3,000 hours of clinical supervision, which includes hours accrued  
 1314 under Subsection (1)(e); or

- 1315 (ii) not less than two years of clinical supervision;
- 1316 (e) document successful completion of not less than 1,200 direct client care hours:
- 1317 (i) obtained after completion of the education requirements under Subsection (1)(c);
- 1318 (ii) subject to Subsection (1)(e)(iii), not less than 100 of which are direct clinical
- 1319 supervision hours under the supervision of a clinical supervisor;
- 1320 (iii) not less than 25 of which are direct observation hours; and
- 1321 (iv) not more than 25 of which are group supervision hours accrued concurrently with
- 1322 more than one other applicant for licensure;
- 1323 (f) document successful completion of not less than two hours of training in suicide
- 1324 prevention, obtained after completion of the education requirements under
- 1325 Subsection (1)(c) via a course that the division designates as approved;
- 1326 (g) have completed a case work, group work, or family treatment course sequence with a
- 1327 clinical practicum in content as defined by rule under Section 58-1-203;
- 1328 (h)(i) pass the examination requirement established by rule under Section 58-1-203;
- 1329 or
- 1330 (ii) satisfy the following requirements:
- 1331 (A) document at least one examination attempt that did not result in a passing
- 1332 score;
- 1333 (B) document successful completion of not less than 500 additional direct client
- 1334 care hours, at least 25 of which are direct clinical supervision hours, and at
- 1335 least five of which are direct observation hours;
- 1336 (C) submit to the division a recommendation letter from the applicant's direct
- 1337 clinical supervisor; and
- 1338 (D) submit to the division a recommendation letter from another licensed mental
- 1339 health therapist who has directly observed the applicant's direct client care
- 1340 hours and who is not the applicant's direct clinical supervisor; and
- 1341 ~~(i)(i) [consent to a criminal background check in accordance with Section~~
- 1342 ~~58-60-103.1 and any requirements established by division rule made in~~
- 1343 ~~accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act]~~
- 1344 ~~consent to, and complete, a criminal background check, described in Section~~
- 1345 ~~58-1-301.5;~~
- 1346 (ii) meet any other standard related to the criminal background check described in
- 1347 Subsection (1)(i)(i), that the division establishes by rule in accordance with Title
- 1348 63G, Chapter 3, Utah Administrative Rulemaking Act; and



- 1349            (iii) disclose any criminal history the division requests on a form the division  
 1350            approves.
- 1351 (2) An applicant for licensure as a certified social worker shall:
- 1352        (a) submit an application on a form [~~provided by~~]the division approves;
- 1353        (b) pay a fee determined by the department under Section 63J-1-504;
- 1354        (c) produce certified transcripts from an accredited institution of higher education  
 1355            recognized by the division in collaboration with the board verifying satisfactory  
 1356            completion of an education and an earned degree as follows:
- 1357            (i) a master's degree in a social work program accredited by the Council on Social  
 1358            Work Education or by the Canadian Association of Schools of Social Work; or
- 1359            (ii) a doctoral degree that contains a clinical social work concentration and practicum  
 1360            approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah  
 1361            Administrative Rulemaking Act, that is consistent with Section 58-1-203; and
- 1362        (d) [~~consent to a criminal background check in accordance with Section 58-60-103.1 and~~  
 1363            ~~any requirements established by division rule made in accordance with Title 63G,~~  
 1364            ~~Chapter 3, Utah Administrative Rulemaking Act.]~~
- 1365            (i) consent to, and complete, a criminal background check, described in Section  
 1366            58-1-301.5;
- 1367            (ii) meet any other standard related to the criminal background check described in  
 1368            Subsection (2)(d)(i), that the division establishes by rule in accordance with Title  
 1369            63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 1370            (iii) disclose any criminal history the division requests on a form the division  
 1371            approves.
- 1372 (3) An applicant for licensure as a social service worker shall:
- 1373        (a) submit an application on a form[~~provided by~~] the division approves;
- 1374        (b) pay a fee determined by the department under Section 63J-1-504; and
- 1375        (c) produce certified transcripts from an accredited institution of higher education  
 1376            recognized by the division in collaboration with the board verifying satisfactory  
 1377            completion of an education and an earned degree as follows:
- 1378            (i) a bachelor's degree in a social work program accredited by the Council on Social  
 1379            Work Education or by the Canadian Association of Schools of Social Work;
- 1380            (ii) a master's degree in a field approved by the division in collaboration with the  
 1381            board;
- 1382            (iii) a bachelor's degree in any field if the applicant:

- 1383 (A) has completed at least three semester hours, or the equivalent, in each of the  
 1384 following areas:
- 1385 (I) social welfare policy;
- 1386 (II) human growth and development; and
- 1387 (III) social work practice methods, as defined by rule; and
- 1388 (B) provides documentation that the applicant has completed at least 2,000 hours  
 1389 of qualifying experience under the supervision of a mental health therapist,  
 1390 which experience is approved by the division in collaboration with the board,  
 1391 and which is performed after completion of the requirements to obtain the  
 1392 bachelor's degree required under this Subsection (3); or
- 1393 (iv) successful completion of the first academic year of a Council on Social Work  
 1394 Education approved master's of social work curriculum and practicum.
- 1395 (4) The division shall ensure that the rules for an examination described under Subsection  
 1396 (1)(h)(i) allow additional time to complete the examination if requested by an applicant  
 1397 who is:
- 1398 (a) a foreign born legal resident of the United States for whom English is a second  
 1399 language; or
- 1400 (b) an enrolled member of a federally recognized Native American tribe.
- 1401 Section 15. Section **58-60-305** is amended to read:
- 1402 **58-60-305 . Qualifications for licensure.**
- 1403 (1) ~~[All applicants]~~ An applicant for licensure as a marriage and family ~~[therapists]~~ therapist  
 1404 shall:
- 1405 (a) submit an application on a form ~~[provided by]~~ the division approves;
- 1406 (b) pay a fee determined by the department under Section 63J-1-504;
- 1407 (c) produce certified transcripts evidencing completion of a ~~[masters]~~ master's or  
 1408 doctorate degree in marriage and family therapy from:
- 1409 (i) a program accredited by the Commission on Accreditation for Marriage and  
 1410 Family Therapy Education; or
- 1411 (ii) an accredited institution meeting criteria for approval established by rule under  
 1412 Section 58-1-203;
- 1413 (d) if required under federal law for any licensee as a marriage and family therapist to  
 1414 qualify as an eligible professional under CMS rules for Medicare payment, document  
 1415 completion of:
- 1416 (i) not less than 3,000 hours of clinical supervision, which includes hours accrued

- 1417 under Subsection [(2)(e)] (1)(e); or
- 1418 (ii) not less than two years of clinical supervision;
- 1419 (e) document successful completion of not less than 1,200 direct client care hours:
- 1420 (i) obtained after completion of the education requirements under Subsection (1)(c);
- 1421 (ii) subject to Subsection (1)(e)(iii), not less than 100 of which are direct clinical
- 1422 supervision hours under the supervision of a clinical supervisor obtained after
- 1423 completion of the education requirements under Subsection (1)(c);
- 1424 (iii) not less than 25 of which are direct observation hours; and
- 1425 (iv) not more than 25 of which are group supervision hours concurrently with more
- 1426 than one other applicant for licensure;
- 1427 (f) document successful completion of not less than two hours of training in suicide
- 1428 prevention obtained after completion of the education requirements under Subsection
- 1429 (1)(c) via a course that the division designates as approved;
- 1430 (g)(i) pass the examination requirement [~~established by~~] the division establishes by
- 1431 rule under Section 58-1-203; or
- 1432 (ii) satisfy the following requirements:
- 1433 (A) document at least one examination attempt that did not result in a passing
- 1434 score;
- 1435 (B) document successful completion of not less than 500 additional direct client
- 1436 care hours, not less than 25 of which are direct clinical supervision hours, and
- 1437 not less than five of which are direct observation hours by a mental health
- 1438 therapist or supervisor;
- 1439 (C) submit to the division a recommendation letter from the applicant's direct
- 1440 clinical supervisor; and
- 1441 (D) submit to the division a recommendation letter from another licensed mental
- 1442 health therapist who has directly observed the applicant's direct client care
- 1443 hours and who is not the applicant's direct clinical supervisor; and
- 1444 (h) [~~consent to a criminal background check in accordance with Section 58-60-103.1 and~~
- 1445 ~~any requirements established by division rule made in accordance with Title 63G,~~
- 1446 ~~Chapter 3, Utah Administrative Rulemaking Act.]~~
- 1447 (i) consent to, and complete, a criminal background check, described in Section
- 1448 58-1-301.5;
- 1449 (ii) meet any other standard related to the criminal background check described in
- 1450 Subsection (1)(h)(i), that the division establishes by rule in accordance with Title

1451 63G, Chapter 3, Utah Administrative Rulemaking Act; and  
 1452 (iii) disclose any criminal history the division requests on a form the division  
 1453 approves.

1454 (2) ~~[All applicants]~~ An applicant for licensure as an associate marriage and family therapist  
 1455 shall comply with the provisions of Subsections (1)(a) through (c) and (h).

1456 Section 16. Section **58-60-405** is amended to read:

1457 **58-60-405 . Qualifications for licensure.**

1458 (1) An applicant for licensure as a clinical mental health counselor shall:

1459 (a) submit an application on a form ~~[provided by]~~ the division approves;

1460 (b) pay a fee determined by the department under Section 63J-1-504;

1461 (c) produce certified transcripts evidencing completion of:

1462 (i) a master's or doctorate degree conferred to the applicant in:

1463 (A) clinical mental health counseling, clinical rehabilitation counseling, counselor  
 1464 education and supervision from a program accredited by the Council for  
 1465 Accreditation of Counseling and Related Educational Programs; or

1466 (B) clinical mental health counseling or an equivalent field from a program  
 1467 affiliated with an institution that has accreditation that is recognized by the  
 1468 Council for Higher Education Accreditation; and

1469 (ii) at least 60 semester credit hours or 90 quarter credit hours of coursework related  
 1470 to an educational program described in Subsection (1)(c)(i);

1471 (d) if required under federal law for any licensee as a clinical mental health counselor to  
 1472 qualify as an eligible professional under CMS rules for Medicare payment, document  
 1473 completion of:

1474 (i) not less than 3,000 hours of clinical supervision, which includes hours accrued  
 1475 under Subsection (1)(e); or

1476 (ii) not less than two years of clinical supervision;

1477 (e) document successful completion of not less than 1,200 direct client care hours:

1478 (i) obtained after completion of the education requirements under Subsection (1)(c);

1479 (ii) subject to Subsection (1)(e)(iii), not less than 100 of which are direct clinical  
 1480 supervision hours under the supervision of a clinical supervisor;

1481 (iii) not less than 25 of which are direct observation hours; and

1482 (iv) not more than 25 of which are group supervision hours concurrently with more  
 1483 than one other applicant for licensure;

1484 (f) document successful completion of not less than two hours of training in suicide

- 1485 prevention obtained after completion of the education requirements under Subsection  
1486 (1)(c) via a course that the division designates as approved;
- 1487 (g)(i) pass the examination requirement [~~established by~~] the division establishes by  
1488 rule under Section 58-1-203; or
- 1489 (ii) satisfy the following requirements:
- 1490 (A) document at least one examination attempt that did not result in a passing  
1491 score;
- 1492 (B) document successful completion of not less than 500 additional direct client  
1493 care hours, not less than 25 of which are direct clinical supervision hours, and  
1494 not less than five of which are direct observation hours by a clinical supervisor;
- 1495 (C) submit to the division a recommendation letter from the applicant's direct  
1496 clinical supervisor; and
- 1497 (D) submit to the division a recommendation letter from another licensed mental  
1498 health therapist who has directly observed the applicant's direct client care  
1499 hours and who is not the applicant's direct clinical supervisor; and
- 1500 (h) [~~consent to a criminal background check in accordance with Section 58-60-103.1 and~~  
1501 ~~any requirements established by division rule made in accordance with Title 63G,~~  
1502 ~~Chapter 3, Utah Administrative Rulemaking Act.~~]
- 1503 (i) consent to, and complete, a criminal background check, described in Section  
1504 58-1-301.5;
- 1505 (ii) meet any other standard related to the criminal background check described in  
1506 Subsection (1)(h)(i), that the division establishes by rule in accordance with Title  
1507 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 1508 (iii) disclose any criminal history the division requests on a form the division  
1509 approves.
- 1510 (2) An applicant for licensure as an associate clinical mental health counselor shall comply  
1511 with the provisions of Subsections (1)(a) through (c) and (h).
- 1512 (3) Notwithstanding Subsection (1)(c), an applicant satisfies the education requirement  
1513 described in Subsection (1)(c) if the applicant submits documentation verifying:
- 1514 (a) satisfactory completion of a doctoral or master's degree from an educational program  
1515 in rehabilitation counseling accredited by the Council for Accreditation of  
1516 Counseling and Related Educational Programs;
- 1517 (b) satisfactory completion of at least 60 semester credit hours or 90 quarter credit hours  
1518 of coursework related to an educational program described in Subsection (1)(c)(i);

1519 and

1520 (c) that the applicant received a passing score that is valid and in good standing on:

1521 (i) the National Counselor Examination; and

1522 (ii) the National Clinical Mental Health Counseling Examination.

1523 Section 17. Section **58-60-506** is amended to read:

1524 **58-60-506 . Qualifications for licensure.**

1525 (1) Subject to Subsection (2), an applicant for licensure as master addiction counselor based  
1526 on education, training, and experience shall:

1527 (a) submit an application on a form [~~provided by~~]the division approves;

1528 (b) pay a fee determined by the department under Section 63J-1-504;

1529 (c) document successful completion of not less than two hours of training in suicide  
1530 prevention obtained after completion of the education requirements under Subsection  
1531 (1)(d) via a course that the division designates as approved;

1532 (d) produce a certified transcript from an accredited institution of higher education that  
1533 meets standards established by division rule under Section 58-1-203, verifying the  
1534 satisfactory completion of:

1535 (i) a doctoral or master's degree in:

1536 (A) substance use disorders or addiction counseling and treatment; or

1537 (B) a counseling subject approved by the division in collaboration with the board,  
1538 which may include social work, mental health counseling, marriage and family  
1539 therapy, psychology, or medicine;

1540 (ii) an associate's degree or higher, or 18 credit hours, in substance use disorder or  
1541 addiction counseling and treatment from a regionally accredited institution of  
1542 higher education;

1543 (e) if required under federal law for any licensee as a master addiction counselor to  
1544 qualify as an eligible professional under CMS rules for Medicare payment, document  
1545 completion of:

1546 (i) not less than 3,000 hours of clinical supervision, which includes hours accrued  
1547 under Subsection (1)(g); or

1548 (ii) not less than two years of clinical supervision;

1549 (f) document successful completion of not less than 1,200 direct client care hours:

1550 (i) obtained after completion of the education requirements under Subsection  
1551 (1)(d)(ii);

1552 (ii) subject to Subsection (1)(f)(iii), not less than 100 of which are direct clinical

- 1553 supervision hours under the supervision of a clinical supervisor;
- 1554 (iii) not less than 25 of which are direct observation hours; and
- 1555 (iv) not more than 25 of which are group supervision hours concurrently with more
- 1556 than one other applicant for licensure;
- 1557 (g) if the applicant for licensure produces a transcript described in Subsection (1)(d)(ii),
- 1558 evidence completion of an additional 200 hours of direct client care hours in
- 1559 substance use disorder or addiction treatment;
- 1560 (h)(i) pass the examination requirement [~~established by~~] the division establishes by
- 1561 rule under Section 58-1-203; or
- 1562 (ii) satisfy the following requirements:
- 1563 (A) document at least one examination attempt that did not result in a passing
- 1564 score;
- 1565 (B) document successful completion of not less than 500 additional direct client
- 1566 care hours, not less than 25 of which are direct clinical supervision hours, and
- 1567 not less than five of which are direct observation hours by a clinical supervisor;
- 1568 (C) submit to the division a recommendation letter from the applicant's direct
- 1569 clinical supervisor; and
- 1570 (D) submit to the division a recommendation letter from another licensed mental
- 1571 health therapist who has directly observed the applicant's direct client care
- 1572 hours and who is not the applicant's direct clinical supervisor; and
- 1573 (i) [~~consent to a criminal background check in accordance with Section 58-60-103.1 and~~
- 1574 ~~any requirements established by division rule made in accordance with Title 63G,~~
- 1575 ~~Chapter 3, Utah Administrative Rulemaking Act.]~~
- 1576 (i) consent to, and complete, a criminal background check, described in Section
- 1577 58-1-301.5;
- 1578 (ii) meet any other standard related to the criminal background check described in
- 1579 Subsection (1)(i)(i), that the division establishes by rule in accordance with Title
- 1580 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 1581 (iii) disclose any criminal history the division requests on a form the division
- 1582 approves.
- 1583 (2) In lieu of the requirements under Subsections (1)(d) through (i), an applicant for
- 1584 licensure as master addiction counselor may document current certification in good
- 1585 standing as:
- 1586 (a) a master addiction counselor by the National Certification Commission for Addiction

- 1587 Professionals;
- 1588 (b) a master addiction counselor by the National Board for Certified Counselors; or
- 1589 (c) an equivalent certification as under Subsections (2)(a) and (b), as determined in rule
- 1590 made by the division in collaboration with the board.
- 1591 (3) An applicant for licensure as an associate master addiction counselor shall satisfy the
- 1592 requirements under Subsections (1)(a) through (c) and (i).
- 1593 (4) Subject to Subsection (5), an applicant for licensure as an advanced substance use
- 1594 disorder counselor shall:
- 1595 (a) submit an application on a form [~~provided by~~]the division approves;
- 1596 (b) pay a fee determined by the department under Section 63J-1-504; and
- 1597 (c)(i) produce certified transcripts verifying satisfactory completion of:
- 1598 (A) a bachelor's degree or higher, from a regionally accredited institution of
- 1599 higher learning, in substance use disorders, addiction, or related counseling
- 1600 subjects, including social work, mental health counseling, marriage and family
- 1601 counseling, or psychology; or
- 1602 (B) two academic years of study in a master's of addiction counseling curriculum
- 1603 and practicum approved by the National Addictions Studies Accreditation
- 1604 Commission;
- 1605 (ii) document completion of at least 500 hours of supervised experience while
- 1606 licensed as a substance use disorder counselor under this section, which the
- 1607 applicant may complete while completing the education requirements under
- 1608 Subsection (1)(c)(i); and
- 1609 (iii) satisfy examination requirements established by the division in rule.
- 1610 (5) [~~The~~] An applicant for licensure as an advanced substance use disorder counselor may
- 1611 satisfy the requirements of Subsection (4)(c) [~~may be satisfied~~]by providing official
- 1612 verification of current certification in good standing:
- 1613 (a)(i) as a National Certified Addiction Counselor Level II (NCAC II) from the
- 1614 National Certification Commission for Addiction Professionals (NCC AP); or
- 1615 (ii) as an Advanced Alcohol & Drug Counselor (AADC), from the International
- 1616 Certification and Reciprocity Consortium; or
- 1617 (b) of substantive equivalence to the certifications under Subsection (5)(a), as
- 1618 determined by division rule made in consultation with the board.
- 1619 (6) In accordance with division rules, an applicant for licensure as a substance use disorder
- 1620 counselor shall produce:



- 1621 (a) certified transcripts from an accredited institution that:
- 1622 (i) meet division standards;
- 1623 (ii) verify satisfactory completion of an associate's degree or equivalent as defined by
- 1624 the division in rule; and
- 1625 (iii) verify the completion of prerequisite courses established by division rules;
- 1626 (b) documentation of the applicant's completion of a substance use disorder education
- 1627 program that includes:
- 1628 (i) completion of at least 200 hours of substance use disorder related education;
- 1629 (ii) included in the 200 hours described in Subsection (6)(b)(i), a minimum of two
- 1630 hours of training in suicide prevention via a course that the division designates as
- 1631 approved; and
- 1632 (iii) completion of a supervised practicum of at least 200 hours; and
- 1633 (c) documentation of the applicant's completion of at least 2,000 hours of supervised
- 1634 experience in substance use disorder treatment that:
- 1635 (i) meets division standards; and
- 1636 (ii) is performed within a two-year period after the applicant's completion of the
- 1637 substance use disorder education program described in Subsection (6)(b), unless,
- 1638 as determined by the division after consultation with the board, the time for
- 1639 performance is extended due to an extenuating circumstance.

1640 Section 18. Section **58-61-304** is amended to read:

1641 **58-61-304 . Qualifications for licensure by examination or endorsement.**

- 1642 (1) An applicant for licensure as a psychologist based upon education, clinical training, and
- 1643 examination shall:
- 1644 (a) submit an application on a form [~~provided by~~]the division approves;
- 1645 (b) pay a fee determined by the department under Section 63J-1-504;
- 1646 (c) produce certified transcripts of credit verifying satisfactory completion of a doctoral
- 1647 degree in psychology that includes specific core course work established by division
- 1648 rule under Section 58-1-203, from an institution of higher education whose doctoral
- 1649 program, at the time the applicant received the doctoral degree, met approval criteria
- 1650 established by division rule made in consultation with the board;
- 1651 (d) have completed a minimum of 4,000 hours of psychology training as defined by
- 1652 division rule under Section 58-1-203 under the supervision of a psychologist
- 1653 supervisor approved by the division in collaboration with the board;
- 1654 (e) to be qualified to engage in mental health therapy, document successful completion

- 1655 of not less than 1,000 hours of supervised training in mental health therapy obtained  
 1656 after completion of a master's level of education in psychology, which training may  
 1657 be included as part of the 4,000 hours of training required in Subsection (1)(d), and  
 1658 for which documented evidence demonstrates not less than one hour of supervision  
 1659 for each 40 hours of supervised training was obtained under the direct supervision of  
 1660 a psychologist, as defined by rule;
- 1661 (f) pass the examination requirement established by division rule under Section 58-1-203;
- 1662 (g) ~~[consent to a criminal background check in accordance with Section 58-61-304.1 and~~  
 1663 ~~any requirements established by rule made in accordance with Title 63G, Chapter 3,~~  
 1664 ~~Utah Administrative Rulemaking Act; and]~~
- 1665 (i) consent to, and complete, a criminal background check, described in Section  
 1666 58-1-301.5;
- 1667 (ii) meet any other standard related to the criminal background check described in  
 1668 Subsection (1)(g)(i), that the division establishes by rule in accordance with Title  
 1669 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 1670 (iii) disclose any criminal history the division requests on a form the division  
 1671 approves; and
- 1672 (h) meet with the board, upon request for good cause, for the purpose of evaluating the  
 1673 applicant's qualifications for licensure.
- 1674 (2) An applicant for licensure as a psychologist by endorsement based upon licensure in  
 1675 another jurisdiction shall:
- 1676 (a) submit an application on a form ~~[provided by]~~the division approves;
- 1677 (b) pay a fee determined by the department under Section 63J-1-504;
- 1678 (c) not have any disciplinary action pending or in effect against the applicant's  
 1679 psychologist license in any jurisdiction;
- 1680 (d) have passed the Utah Psychologist Law and Ethics Examination established by  
 1681 division rule;
- 1682 (e) provide satisfactory evidence the applicant is currently licensed in another state,  
 1683 district, or territory of the United States, or in any other jurisdiction approved by the  
 1684 division in collaboration with the board;
- 1685 (f) provide satisfactory evidence the applicant has actively practiced psychology in that  
 1686 jurisdiction for not less than 2,000 hours or one year, whichever is greater;
- 1687 (g) provide satisfactory evidence that:
- 1688 (i) the education, supervised experience, examination, and all other requirements for

- 1689 licensure in that jurisdiction at the time the applicant obtained licensure were  
 1690 substantially equivalent to the licensure requirements for a psychologist in Utah at  
 1691 the time the applicant obtained licensure in the other jurisdiction; or  
 1692 (ii) the applicant is:  
 1693 (A) a current holder of Board Certified Specialist status in good standing from the  
 1694 American Board of Professional Psychology;  
 1695 (B) currently credentialed as a health service provider in psychology by the  
 1696 National Register of Health Service Providers in Psychology; or  
 1697 (C) currently holds a Certificate of Professional Qualification (CPQ) granted by  
 1698 the Association of State and Provincial Psychology Boards;  
 1699 (h) [~~consent to a criminal background check in accordance with Section 58-61-304.1 and~~  
 1700 ~~any requirements established by rule made in accordance with Title 63G, Chapter 3,~~  
 1701 ~~Utah Administrative Rulemaking Act; and]~~  
 1702 (i) consent to, and complete, a criminal background check, described in Section  
 1703 58-1-301.5;  
 1704 (ii) meet any other standard related to the criminal background check described in  
 1705 Subsection (2)(h)(i), that the division establishes by rule in accordance with Title  
 1706 63G, Chapter 3, Utah Administrative Rulemaking Act; and  
 1707 (iii) disclose any criminal history the division requests on a form the division  
 1708 approves; and  
 1709 (i) meet with the board, upon request for good cause, for the purpose of evaluating the  
 1710 applicant's qualifications for licensure.  
 1711 (3)(a) An applicant for certification as a psychology resident shall comply with the  
 1712 provisions of Subsections (1)(a), (b), (c), (g), and (h).  
 1713 (b)(i) An individual's certification as a psychology resident is limited to the period of  
 1714 time necessary to complete clinical training as described in Subsections (1)(d) and  
 1715 (e) and extends not more than one year from the date the minimum requirement  
 1716 for training is completed, unless the individual presents satisfactory evidence to  
 1717 the division and the board that the individual is making reasonable progress  
 1718 toward passing the qualifying examination or is otherwise on a course reasonably  
 1719 expected to lead to licensure as a psychologist.  
 1720 (ii) The period of time under Subsection (3)(b)(i) may not exceed two years past the  
 1721 date the minimum supervised clinical training requirement has been completed.  
 1722 (4) An applicant for certification as a certified prescribing psychologist based upon

- 1723 education, clinical training, and examination shall:
- 1724 (a) have authority to engage in the practice of psychology under Subsection 58-61-301;
- 1725 (b) pay a fee determined by the department under Section 63J-1-504;
- 1726 (c) demonstrate by official transcript, or other official evidence satisfactory to the
- 1727 division, that the applicant:
- 1728 (i) has completed a doctoral degree in psychology that includes specific core course
- 1729 work established by division rule under Section 58-1-203, from an institution of
- 1730 higher education whose doctoral program, at the time the applicant received the
- 1731 doctoral degree, met approval criteria established by division rule made in
- 1732 consultation with the board;
- 1733 (ii) has completed a master's degree in clinical psychopharmacology from an
- 1734 institution of higher learning whose master's program, at the time the applicant
- 1735 received the master's degree, included at least 30 credit hours of didactics
- 1736 coursework over no less than four semesters, met approval criteria established by
- 1737 division rule made in consultation with the board and includes the following core
- 1738 areas of instruction:
- 1739 (A) neuroscience, pharmacology, psychopharmacology, physiology, and
- 1740 pathophysiology;
- 1741 (B) appropriate and relevant physical and laboratory assessment;
- 1742 (C) basic sciences, including general biology, microbiology, cell and molecular
- 1743 biology, human anatomy, human physiology, biochemistry, and genetics, as
- 1744 part of or [~~prior to~~] before enrollment in a master's degree in clinical
- 1745 psychopharmacology; and
- 1746 (D) any other areas of instruction determined necessary by the division, in
- 1747 collaboration with the board, as established by division rule; and
- 1748 (iii) has completed postdoctoral supervised training, as defined by division rule made
- 1749 in consultation with the board, in prescribing psychology under the direction of a
- 1750 licensed physician, including:
- 1751 (A) not less than 4,000 hours of supervised clinical training throughout a period of
- 1752 at least two years; and
- 1753 (B) for an applicant for a prescription certificate who specializes in the
- 1754 psychological care of children 17 years old or younger, persons 65 years old or
- 1755 older, or persons with comorbid medical conditions, at least one year
- 1756 prescribing psychotropic medications to those populations, as certified by the

- 1757 applicant's supervising licensed physician;
- 1758 (d) have passed:
- 1759 (i) the Psychopharmacology Examination for Psychologists developed by the
- 1760 Association of State and Provincial Psychology Boards, or [its] the association's
- 1761 successor organization; or
- 1762 (ii) an equivalent examination as defined by the division in rule;
- 1763 (e) not have any disciplinary action pending or in effect against the applicant's
- 1764 psychologist license or other professional license authorizing the applicant to
- 1765 prescribe in any jurisdiction;
- 1766 (f) [~~consent to a criminal background check in accordance with Section 58-61-304.1 and~~
- 1767 ~~any requirements established by rule made in accordance with Title 63G, Chapter 3,~~
- 1768 ~~Utah Administrative Rulemaking Act;]~~
- 1769 (i) consent to, and complete, a criminal background check, described in Section
- 1770 58-1-301.5;
- 1771 (ii) meet any other standard related to the criminal background check described in
- 1772 Subsection (4)(f)(i), that the division establishes by rule in accordance with Title
- 1773 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 1774 (iii) disclose any criminal history the division requests on a form the division
- 1775 approves;
- 1776 (g) commit to maintaining professional liability insurance while acting as a certified
- 1777 prescribing psychologist; and
- 1778 (h) meet with the board, upon request for good cause, for the purpose of evaluating the
- 1779 applicant's qualifications for licensure.
- 1780 (5) An applicant for certification as a certified prescribing psychologist by endorsement
- 1781 based upon licensure in another jurisdiction shall:
- 1782 (a) submit an application on a form [~~provided by~~] the division approves;
- 1783 (b) pay a fee determined by the department under Section 63J-1-504;
- 1784 (c) not have any disciplinary action pending or in effect against the applicant's
- 1785 psychologist license or other professional license authorizing the applicant to
- 1786 prescribe in any jurisdiction;
- 1787 (d) have passed the Utah Psychologist Law and Ethics Examination established by
- 1788 division rule;
- 1789 (e) provide satisfactory evidence that the applicant is currently licensed as a prescribing
- 1790 psychologist in another state, district, or territory of the United States, or in any other

- 1791 jurisdiction approved by the division in collaboration with the board;
- 1792 (f) provide satisfactory evidence that the applicant has actively practiced as a prescribing  
1793 psychologist in that jurisdiction for not less than 4,000 hours or two years, whichever  
1794 is greater;
- 1795 (g) provide satisfactory evidence that the applicant has satisfied the education,  
1796 supervised experience, examination, and all other requirements for licensure as a  
1797 prescribing psychologist in that jurisdiction at the time the applicant obtained  
1798 licensure were substantially equivalent to the licensure requirements for a certified  
1799 prescribing psychologist in Utah at the time the applicant obtained licensure in the  
1800 other jurisdiction;
- 1801 (h) [~~consent to a criminal background check in accordance with Section 58-61-304.1 and~~  
1802 ~~any requirements established by rule made in accordance with Title 63G, Chapter 3,~~  
1803 ~~Utah Administrative Rulemaking Act;]~~
- 1804 (i) consent to, and complete, a criminal background check, described in Section  
1805 58-1-301.5;
- 1806 (ii) meet any other standard related to the criminal background check described in  
1807 Subsection (5)(h)(i), that the division establishes by rule in accordance with Title  
1808 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 1809 (iii) disclose any criminal history the division requests on a form the division  
1810 approves;
- 1811 (i) commit to maintaining professional liability insurance while acting as a certified  
1812 prescribing psychologist; and
- 1813 (j) meet with the board, upon request for good cause, for the purpose of evaluating the  
1814 applicant's qualifications for licensure.
- 1815 (6) An applicant for certification as a provisional prescribing psychologist shall:
- 1816 (a) have authority to engage in the practice of psychology under Section 58-61-301;
- 1817 (b) pay a fee determined by the department under Section 63J-1-504;
- 1818 (c) demonstrate by official transcript, or other official evidence satisfactory to the  
1819 division, that the applicant:
- 1820 (i) has completed a doctoral degree in psychology that includes specific core course  
1821 work established by division rule under Section 58-1-203, from an institution of  
1822 higher education whose doctoral program, at the time the applicant received the  
1823 doctoral degree, met approval criteria established by division rule made in  
1824 consultation with the board; and

- 1825 (ii) has completed a master's degree in clinical psychopharmacology from an  
 1826 institution of higher learning whose master's program, at the time the applicant  
 1827 received the master's degree, met approval criteria established by division rule  
 1828 made in consultation with the board and includes the following core areas of  
 1829 instruction:
- 1830 (A) neuroscience, pharmacology, psychopharmacology, physiology, and  
 1831 pathophysiology;
- 1832 (B) appropriate and relevant physical and laboratory assessment;
- 1833 (C) basic sciences, including general biology, microbiology, cell and molecular  
 1834 biology, human anatomy, human physiology, biochemistry, and genetics, as  
 1835 part of or [~~prior to~~] before enrollment in a master's degree in clinical  
 1836 psychopharmacology; and
- 1837 (D) any other areas of instruction determined necessary by the division, in  
 1838 collaboration with the board, as established by division rule;
- 1839 (d) have no disciplinary action pending or in effect against the applicant's psychologist  
 1840 license or other professional license authorizing the applicant to prescribe in any  
 1841 jurisdiction;
- 1842 (e) [~~consent to a criminal background check in accordance with Section 58-61-304.1 and~~  
 1843 ~~any requirements established by rule made in accordance with Title 63G, Chapter 3,~~  
 1844 ~~Utah Administrative Rulemaking Act;~~]
- 1845 (i) consent to, and complete, a criminal background check, described in Section  
 1846 58-1-301.5;
- 1847 (ii) meet any other standard related to the criminal background check described in  
 1848 Subsection (6)(e)(i), that the division establishes by rule in accordance with Title  
 1849 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 1850 (iii) disclose any criminal history the division requests on a form the division  
 1851 approves;
- 1852 (f) commit to maintaining professional liability insurance while acting as a provisional  
 1853 prescribing psychologist;
- 1854 (g) meet with the board, upon request for good cause, for the purpose of evaluating the  
 1855 applicant's qualifications for licensure; and
- 1856 (h) satisfy any further requirements, as established by the division in rule.
- 1857 (7) An applicant for licensure as a licensed school psychological practitioner shall:
- 1858 (a) submit an application on a form [~~provided by~~]the division approves;

- 1859 (b) pay a fee determined by the department under Section 63J-1-504;
- 1860 (c) produce certified transcripts of credit verifying satisfactory completion of a master's
- 1861 degree or equivalent certification program approved by the division that:
- 1862 (i) consists of at least 60 semester hours or 90 quarter hours in school psychology at
- 1863 an accredited institution; and
- 1864 (ii) includes training in at least the following topics:
- 1865 (A) understanding the organization, administration, and operation of schools, the
- 1866 major roles of personnel employed in schools, and curriculum development;
- 1867 (B) directing psychological and psycho-educational assessments and intervention [
- 1868 ~~2-118including~~] including all areas of exceptionality;
- 1869 (C) individual and group intervention and remediation techniques, including
- 1870 consulting, behavioral methods, counseling, and primary prevention;
- 1871 (D) understanding the ethical and professional practice and legal issues related to [
- 1872 ~~2-122the~~] the work of school psychologists;
- 1873 (E) social psychology, including interpersonal relations, communications, and
- 1874 consultation with students, parents, and professional personnel;
- 1875 (F) coordination and work with community-school relations and multicultural
- 1876 education programs and assessments; and
- 1877 (G) the use and evaluation of tests and measurements, developmental psychology,
- 1878 affective and cognitive processes, social and biological bases of behavior,
- 1879 personality, and psychopathology;
- 1880 (d) provide evidence demonstrating that the applicant has:
- 1881 (i) completed a one school year internship, or the equivalent, with a minimum of
- 1882 1,200 clock hours in school psychology, at least 600 hours of which shall be in a
- 1883 school setting or a setting with an educational component; and
- 1884 (ii) completed at least five years of successful experience as a school psychologist in
- 1885 the state; and
- 1886 (e) provide a recommendation from:
- 1887 (i) the institution that the applicant attended under Subsection (4)(c); and
- 1888 (ii) one or more local education agencies, as defined in Section 53E-1-102, that
- 1889 employed the applicant as a school psychologist for the period described in
- 1890 Subsection (4)(d)(ii).

1891 Section 19. Section **58-63-302** is amended to read:

1892 **58-63-302 . Qualifications for licensure.**



- 1893 (1) Each applicant for licensure as an armored car company or a contract security company  
 1894 shall:
- 1895 (a) submit an application in a form [~~prescribed by~~]the division approves;
- 1896 (b) pay a fee determined by the department under Section 63J-1-504;
- 1897 (c) have a qualifying agent who:
- 1898 (i) meets with the division and the board and demonstrates that the applicant and the  
 1899 qualifying agent meet the requirements of this section;
- 1900 (ii) is a resident of the state;
- 1901 (iii) is responsible management personnel or a company owner of the applicant;
- 1902 (iv) exercises material day-to-day authority in the conduct of the applicant's business  
 1903 by making substantive technical and administrative decisions and whose primary  
 1904 employment is with the applicant;
- 1905 (v) is not concurrently acting as a qualifying agent or employee of another armored  
 1906 car company or contract security company and is not engaged in any other  
 1907 employment on a regular basis;
- 1908 (vi) is not involved in any activity that would conflict with the qualifying agent's  
 1909 duties and responsibilities under this chapter to ensure that the qualifying agent's  
 1910 and the applicant's performance under this chapter does not jeopardize the health  
 1911 or safety of the general public;
- 1912 (vii) is not an employee of a government agency;
- 1913 (viii) passes an examination component established by rule by the division in  
 1914 collaboration with the board and in accordance with Title 63G, Chapter 3, Utah  
 1915 Administrative Rulemaking Act; and
- 1916 (ix)(A) demonstrates 6,000 hours of compensated experience as a manager,  
 1917 supervisor, or administrator of an armored car company or a contract security  
 1918 company; or
- 1919 (B) demonstrates 6,000 hours of supervisory experience acceptable to the division  
 1920 in collaboration with the board with a federal, United States military, state,  
 1921 county, or municipal law enforcement agency;
- 1922 (d) [~~provide the name, address, date of birth, social security number, fingerprint card,  
 1923 and consent to a criminal background check in accordance with Section 58-63-302.1  
 1924 and requirements established by division rule made in accordance with Title 63G,  
 1925 Chapter 3, Utah Administrative Rulemaking Act, for~~] require that each company  
 1926 officer, company owner, company proprietor, company trustee, and responsible

- 1927 management personnel with direct responsibility for managing operations of the  
 1928 applicant within the state;
- 1929 (i) provide name, address, date of birth, social security number, and fingerprints; and  
 1930 (ii)(A) consent to, and complete, a criminal background check, described in  
 1931 Section 58-1-301.5;  
 1932 (B) meet any other standard related to the criminal background check described in  
 1933 Subsection (1)(d)(ii)(A), that the division establishes by rule in accordance  
 1934 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and  
 1935 (C) disclose any criminal history the division requests on a form the division  
 1936 approves;
- 1937 (e) have company officers, company owners, company proprietors, company trustees,  
 1938 and responsible management personnel who have not been convicted of:
- 1939 (i) a felony; or  
 1940 (ii) a crime that when considered with the duties and responsibilities of a contract  
 1941 security company or an armored car company by the division and the board  
 1942 indicates that the best interests of the public are not served by granting the  
 1943 applicant a license;
- 1944 (f) document that none of the [~~persons~~] individuals described in Subsection (1)(e):
- 1945 (i) have been declared by a court of competent jurisdiction incompetent by reason of  
 1946 mental defect or disease and not been restored; or  
 1947 (ii) currently suffer from habitual drunkenness or from drug addiction or dependence;
- 1948 (g) file and maintain with the division evidence of:
- 1949 (i) comprehensive general liability insurance in a form and in amounts established by  
 1950 rule by the division in collaboration with the board and in accordance with Title  
 1951 63G, Chapter 3, Utah Administrative Rulemaking Act;
- 1952 (ii) workers' compensation insurance that covers employees of the applicant in  
 1953 accordance with applicable Utah law;
- 1954 (iii) registration with the Division of Corporations and Commercial Code; and  
 1955 (iv) registration as required by applicable law with the:
- 1956 (A) Unemployment Insurance Division in the Department of Workforce Services,  
 1957 for purposes of Title 35A, Chapter 4, Employment Security Act;
- 1958 (B) State Tax Commission; and  
 1959 (C) Internal Revenue Service; and
- 1960 (h) meet with the division and board if requested by the division or board.

- 1961 (2) Each applicant for licensure as an armed private security officer:
- 1962 (a) shall submit an application in a form~~[-prescribed by]~~ the division approves;
- 1963 (b) shall pay a fee determined by the department under Section 63J-1-504;
- 1964 (c) may not have been convicted of:
- 1965 (i) a felony; or
- 1966 (ii) a crime that when considered with the duties and responsibilities of an armed
- 1967 private security officer by the division and the board indicates that the best
- 1968 interests of the public are not served by granting the applicant a license;
- 1969 (d) may not be prohibited from possession of a firearm or ammunition under 18 U.S.C.
- 1970 Sec. 922(g);
- 1971 (e) may not have been declared incompetent by a court of competent jurisdiction by
- 1972 reason of mental defect or disease and not been restored;
- 1973 (f) may not be currently suffering from habitual drunkenness or from drug addiction or
- 1974 dependence;
- 1975 (g) shall successfully complete basic education and training requirements established by
- 1976 rule by the division in collaboration with the board and in accordance with Title 63G,
- 1977 Chapter 3, Utah Administrative Rulemaking Act, which shall include a minimum of
- 1978 eight hours of classroom or online curriculum;
- 1979 (h) shall successfully complete firearms training requirements established by rule by the
- 1980 division in collaboration with the board and in accordance with Title 63G, Chapter 3,
- 1981 Utah Administrative Rulemaking Act, which shall include a minimum of 12 hours of
- 1982 training;
- 1983 (i) shall pass the examination requirement established by rule by the division in
- 1984 collaboration with the board and in accordance with Title 63G, Chapter 3, Utah
- 1985 Administrative Rulemaking Act;
- 1986 (j) ~~[shall submit to and pass a background check in accordance with Section 58-63-302.1~~
- 1987 ~~and requirements established by division rule made in accordance with Title 63G,~~
- 1988 ~~Chapter 3, Utah Administrative Rulemaking Act; and]~~ shall:
- 1989 (i) consent to, and complete, a criminal background check, described in Section
- 1990 58-1-301.5;
- 1991 (ii) meet any other standard related to the criminal background check described in
- 1992 Subsection (1)(j)(i), that the division establishes by rule in accordance with Title
- 1993 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 1994 (iii) disclose any criminal history the division requests on a form the division

- 1995 approves; and
- 1996 (k) shall meet with the division and board if requested by the division or the board.
- 1997 (3) Each applicant for licensure as an unarmed private security officer:
- 1998 (a) shall submit an application in a form~~[-prescribed by]~~ the division approves;
- 1999 (b) shall pay a fee determined by the department under Section 63J-1-504;
- 2000 (c) may not have been convicted of:
- 2001 (i) a felony; or
- 2002 (ii) a crime that when considered with the duties and responsibilities of an unarmed
- 2003 private security officer by the division and the board indicates that the best
- 2004 interests of the public are not served by granting the applicant a license;
- 2005 (d) may not have been declared incompetent by a court of competent jurisdiction by
- 2006 reason of mental defect or disease and not been restored;
- 2007 (e) may not be currently suffering from habitual drunkenness or from drug addiction or
- 2008 dependence;
- 2009 (f) shall successfully complete basic education and training requirements established by
- 2010 rule by the division in collaboration with the board and in accordance with Title 63G,
- 2011 Chapter 3, Utah Administrative Rulemaking Act, which shall include a minimum of
- 2012 eight hours of classroom or online curriculum;
- 2013 (g) shall pass the examination requirement established by rule by the division in
- 2014 collaboration with the board and in accordance with Title 63G, Chapter 3, Utah
- 2015 Administrative Rulemaking Act;
- 2016 (h) ~~[shall submit to and pass a background check in accordance with Section 58-63-302.1~~
- 2017 ~~and requirements established by division rule made in accordance with Title 63G,~~
- 2018 ~~Chapter 3, Utah Administrative Rulemaking Act; and]~~ shall:
- 2019 (i) consent to, and complete, a criminal background check, described in Section
- 2020 58-1-301.5;
- 2021 (ii) meet any other standard related to the criminal background check described in
- 2022 Subsection (1)(h)(i), that the division establishes by rule in accordance with Title
- 2023 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 2024 (iii) disclose any criminal history the division requests on a form the division
- 2025 approves; and
- 2026 (i) shall meet with the division and board if requested by the division or board.
- 2027 (4) Each applicant for licensure as an armored car security officer:
- 2028 (a) shall submit an application in a form~~[-prescribed by]~~ the division approves;

- 2029 (b) shall pay a fee determined by the department under Section 63J-1-504;
- 2030 (c) may not have been convicted of:
- 2031 (i) a felony; or
- 2032 (ii) a crime that when considered with the duties and responsibilities of an armored
- 2033 car security officer by the division and the board indicates that the best interests of
- 2034 the public are not served by granting the applicant a license;
- 2035 (d) may not be prohibited from possession of a firearm or ammunition under 18 U.S.C.
- 2036 Sec. 922(g);
- 2037 (e) may not have been declared incompetent by a court of competent jurisdiction by
- 2038 reason of mental defect or disease and not been restored;
- 2039 (f) may not be currently suffering from habitual drunkenness or from drug addiction or
- 2040 dependence;
- 2041 (g) shall successfully complete basic education and training requirements established by
- 2042 rule by the division in collaboration with the board and in accordance with Title 63G,
- 2043 Chapter 3, Utah Administrative Rulemaking Act;
- 2044 (h) shall successfully complete firearms training requirements established by rule by the
- 2045 division in collaboration with the board and in accordance with Title 63G, Chapter 3,
- 2046 Utah Administrative Rulemaking Act;
- 2047 (i) shall pass the examination requirements established by rule by the division in
- 2048 collaboration with the board and in accordance with Title 63G, Chapter 3, Utah
- 2049 Administrative Rulemaking Act;
- 2050 (j) ~~[shall submit to and pass a background check in accordance with Section 58-63-302.1~~
- 2051 ~~and requirements established by division rule made in accordance with Title 63G,~~
- 2052 ~~Chapter 3, Utah Administrative Rulemaking Act; and] shall:~~
- 2053 (i) consent to, and complete, a criminal background check, described in Section
- 2054 58-1-301.5;
- 2055 (ii) meet any other standard related to the criminal background check described in
- 2056 Subsection (4)(j)(i), that the division establishes by rule in accordance with Title
- 2057 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 2058 (iii) disclose any criminal history the division requests on a form the division
- 2059 approves; and
- 2060 (k) shall meet with the division and board if requested by the division or the board.
- 2061 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 2062 division may make a rule establishing when the division shall request a Federal Bureau

2063 of Investigation records' review for an applicant who is applying for licensure or  
 2064 licensure renewal under this chapter.

2065 Section 20. Section **58-64-302** is amended to read:

2066 **58-64-302 . Qualifications for licensure.**

- 2067 (1) ~~[Each-]~~ An applicant for licensure as a deception detection examiner:
- 2068 (a) shall submit an application in a form ~~[prescribed by-]~~the division approves;
- 2069 (b) shall pay a fee determined by the department under Section 63J-1-504;
- 2070 (c) may not have been convicted of a felony or any other crime that when considered  
 2071 with the duties and responsibilities of a deception detection examiner is considered  
 2072 by the division to indicate that the best interests of the public will not be served by  
 2073 granting the applicant a license;
- 2074 (d) may not have been declared by any court of competent jurisdiction incompetent by  
 2075 reason of mental defect or disease and not been restored;
- 2076 (e) may not be currently suffering from habitual drunkenness or from drug addiction or  
 2077 dependence;
- 2078 (f) shall have completed one of the following:
- 2079 (i) have earned a bachelor's degree from a ~~[four-year]~~ four-year university or college  
 2080 meeting standards ~~[established by-]~~the division establishes by rule made in  
 2081 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
- 2082 (ii) have completed not less than 8,000 hours of investigation experience approved by  
 2083 the division; or
- 2084 (iii) have completed a combination of university or college education and  
 2085 investigation experience, as defined by rule made by the division in accordance  
 2086 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as being  
 2087 equivalent to the requirements under Subsection (1)(f)(i) or (1)(f)(ii);
- 2088 (g) shall have successfully completed a training program in detection deception meeting  
 2089 criteria ~~[established by rule made by-]~~the division establishes by rule made in  
 2090 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
- 2091 (h) ~~[shall submit to and pass a background check in accordance with Section 58-64-302.1~~  
 2092 ~~and requirements established by division rule made in accordance with Title 63G,~~  
 2093 ~~Chapter 3, Utah Administrative Rulemaking Act; and]~~ shall:
- 2094 (i) consent to, and complete, a criminal background check, described in Section  
 2095 58-1-301.5;
- 2096 (ii) meet any other standard related to the criminal background check described in

- 2097            Subsection (1)(h)(i), that the division establishes by rule in accordance with Title  
 2098            63G, Chapter 3, Utah Administrative Rulemaking Act; and  
 2099            (iii) disclose any criminal history the division requests on a form the division  
 2100            approves; and
- 2101            (i) shall have performed satisfactorily as a licensed deception detection intern for a  
 2102            period of not less than one year and shall have satisfactorily conducted not less than  
 2103            100 deception detection examinations under the supervision of a licensed deception  
 2104            detection examiner.
- 2105            (2) ~~[Each]~~ An applicant for licensure as a deception detection intern:
- 2106            (a) shall submit an application in a form ~~[prescribed by]~~ the division approves;  
 2107            (b) shall pay a fee determined by the department under Section 63J-1-504;  
 2108            (c) may not have been convicted of a felony or any other crime that when considered  
 2109            with the duties and responsibilities of a deception detection intern is considered by  
 2110            the division to indicate that the best interests of the public will not be served by  
 2111            granting the applicant a license;  
 2112            (d) may not have been declared by any court of competent jurisdiction incompetent by  
 2113            reason of mental defect or disease and not been restored;  
 2114            (e) may not be currently suffering from habitual drunkenness or from drug addiction or  
 2115            dependence;  
 2116            (f) shall have completed one of the following:  
 2117            (i) have earned a bachelor's degree from a ~~[four-year]~~ four-year university or college  
 2118            meeting standards ~~[established by]~~ the division establishes by rule made in  
 2119            accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;  
 2120            (ii) have completed not less than 8,000 hours of investigation experience approved by  
 2121            the division; or  
 2122            (iii) have completed a combination of university or college education and  
 2123            investigation experience, as defined by rule ~~[made by]~~ the division makes in  
 2124            accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as  
 2125            being equivalent to the requirements under Subsection (2)(f)(i) or (2)(f)(ii);  
 2126            (g) shall have successfully completed a training program in detection deception meeting  
 2127            criteria established by rule ~~[made by]~~ the division makes in accordance with Title  
 2128            63G, Chapter 3, Utah Administrative Rulemaking Act;  
 2129            (h) ~~[shall submit to and pass a background check in accordance with Section 58-64-302.1~~  
 2130            ~~and requirements established by division rule made in accordance with Title 63G,~~

- 2131 ~~Chapter 3, Utah Administrative Rulemaking Act; and] shall:~~
- 2132 (i) consent to, and complete, a criminal background check, described in Section
- 2133 58-1-301.5;
- 2134 (ii) meet any other standard related to the criminal background check described in
- 2135 Subsection (2)(h)(i), that the division establishes by rule in accordance with Title
- 2136 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 2137 (iii) disclose any criminal history the division requests on a form the division
- 2138 approves; and
- 2139 (i) shall provide the division with an intern supervision agreement in a form [~~prescribed~~
- 2140 ~~by]~~the division approves under which:
- 2141 (i) a licensed deception detection examiner agrees to supervise the intern; and
- 2142 (ii) the applicant agrees to be supervised by that licensed deception detection
- 2143 examiner.
- 2144 (3) [~~Each]~~ An applicant for licensure as a deception detection examination administrator:
- 2145 (a) shall submit an application in a form[~~prescribed by]~~ the division approves;
- 2146 (b) shall pay a fee determined by the department under Section 63J-1-504;
- 2147 (c) may not have been convicted of a felony or any other crime that when considered
- 2148 with the duties and responsibilities of a deception detection examination
- 2149 administrator is considered by the division to indicate that the best interests of the
- 2150 public will not be served by granting the applicant a license;
- 2151 (d) may not have been declared by a court of competent jurisdiction incompetent by
- 2152 reason of mental defect or disease and not been restored;
- 2153 (e) may not be currently suffering from habitual drunkenness or from drug addiction or
- 2154 dependence;
- 2155 (f) shall have earned an associate degree from a state-accredited university or college or
- 2156 have an equivalent number of years' work experience;
- 2157 (g) [~~shall submit to and pass a background check in accordance with Section 58-64-302.1~~
- 2158 ~~and requirements established by division rule made in accordance with Title 63G,~~
- 2159 ~~Chapter 3, Utah Administrative Rulemaking Act; and] shall:~~
- 2160 (i) consent to, and complete, a criminal background check, described in Section
- 2161 58-1-301.5;
- 2162 (ii) meet any other standard related to the criminal background check described in
- 2163 Subsection (3)(g)(i), that the division establishes by rule in accordance with Title
- 2164 63G, Chapter 3, Utah Administrative Rulemaking Act; and



2165 (iii) disclose any criminal history the division requests on a form the division  
 2166 approves; and  
 2167 (h) shall have successfully completed a training program and have obtained certification  
 2168 in deception detection examination administration provided by the manufacturer of a  
 2169 scientific or technology-based software application solution that ~~[is approved by]~~the  
 2170 director approves.

2171 Section 21. Section **58-67-302** is amended to read:

2172 **58-67-302 . Qualifications for licensure.**

2173 (1) An applicant for licensure as a physician and surgeon, except as set forth in Subsection  
 2174 (2), shall:

2175 (a) submit an application in a form ~~[prescribed by]~~the division approves, which may  
 2176 include:

2177 (i) submissions by the applicant of information maintained by practitioner data banks,  
 2178 as designated by division rule, with respect to the applicant;

2179 (ii) a record of professional liability claims made against the applicant and  
 2180 settlements paid by or on behalf of the applicant; and

2181 (iii) authorization to use a record coordination and verification service ~~[approved by]~~  
 2182 the division in collaboration with the board approves;

2183 (b) pay a fee determined by the department under Section 63J-1-504;

2184 ~~[(c) if the applicant is applying to participate in the Interstate Medical Licensure~~  
 2185 ~~Compact under Chapter 67b, Interstate Medical Licensure Compact, consent to a~~  
 2186 ~~criminal background check in accordance with Section 58-67-302.1 and any~~  
 2187 ~~requirements established by rule made in accordance with Title 63G, Chapter 3, Utah~~  
 2188 ~~Administrative Rulemaking Act;]~~

2189 (c)(i) consent to, and complete, a criminal background check, described in Section  
 2190 58-1-301.5;

2191 (ii) meet any other standard related to the criminal background check described in  
 2192 Subsection (1)(c)(i), that the division establishes by rule in accordance with Title  
 2193 63G, Chapter 3, Utah Administrative Rulemaking Act; and

2194 (iii) disclose any criminal history the division requests on a form the division  
 2195 approves;

2196 (d) provide satisfactory documentation of having successfully completed a program of  
 2197 professional education preparing an individual as a physician and surgeon, as  
 2198 evidenced by:

- 2199 (i) having received an earned degree of doctor of medicine from an LCME accredited  
2200 medical school or college; or
- 2201 (ii) if the applicant graduated from a medical school or college located outside the  
2202 United States or [its] the United States' territories, submitting a current certification  
2203 by the Educational Commission for Foreign Medical Graduates or any successor  
2204 organization approved by the division in collaboration with the board;
- 2205 (e) satisfy the division and board that the applicant:
- 2206 (i) has successfully completed 24 months of progressive resident training in a  
2207 program approved by the ACGME, the Royal College of Physicians and  
2208 Surgeons, the College of Family Physicians of Canada, or any similar body in the  
2209 United States or Canada approved by the division in collaboration with the board;  
2210 or
- 2211 (ii)(A) has successfully completed 12 months of resident training in an ACGME  
2212 approved program after receiving a degree of doctor of medicine as required  
2213 under Subsection (1)(d);
- 2214 (B) has been accepted in and is successfully participating in progressive resident  
2215 training in an ACGME approved program within Utah, in the applicant's  
2216 second or third year of postgraduate training; and
- 2217 (C) has agreed to surrender to the division the applicant's license as a physician  
2218 and surgeon without any proceedings under Title 63G, Chapter 4,  
2219 Administrative Procedures Act, and has agreed the applicant's license as a  
2220 physician and surgeon [~~with~~] may be automatically revoked by the division if  
2221 the applicant fails to continue in good standing in an ACGME approved  
2222 progressive resident training program within the state;
- 2223 (f) pass the licensing examination sequence required by division rule made in  
2224 collaboration with the board;
- 2225 (g) be able to read, write, speak, understand, and be understood in the English language  
2226 and demonstrate proficiency to the satisfaction of the board if requested by the board;
- 2227 (h) meet with the board and representatives of the division, if requested, for the purpose  
2228 of evaluating the applicant's qualifications for licensure;
- 2229 (i) designate:
- 2230 (i) a contact person for access to medical records in accordance with the federal  
2231 Health Insurance Portability and Accountability Act; and
- 2232 (ii) an alternate contact person for access to medical records, in the event the original

- 2233 contact person is unable or unwilling to serve as the contact person for access to  
 2234 medical records; and
- 2235 (j) establish a method for notifying patients of the identity and location of the contact  
 2236 person and alternate contact person, if the applicant will practice in a location with no  
 2237 other persons licensed under this chapter.
- 2238 (2) An applicant for licensure as a physician and surgeon by endorsement who is currently  
 2239 licensed to practice medicine in any state other than Utah, a district or territory of the  
 2240 United States, or Canada shall:
- 2241 (a) be currently licensed with a full unrestricted license in good standing in any state,  
 2242 district, or territory of the United States, or Canada;
- 2243 (b) have been actively engaged in the legal practice of medicine in any state, district, or  
 2244 territory of the United States, or Canada for not less than 6,000 hours during the five  
 2245 years immediately preceding the date of application for licensure in Utah;
- 2246 (c) comply with the requirements for licensure under Subsections (1)(a) through (d),  
 2247 (1)(e)(i), and (1)(g) through (j);
- 2248 (d) have passed the licensing examination sequence required in Subsection (1)(f) or  
 2249 another medical licensing examination sequence in another state, district or territory  
 2250 of the United States, or Canada that the division in collaboration with the board by  
 2251 rulemaking determines is equivalent to [its] the board's own required examination;
- 2252 (e) not have any investigation or action pending against any health care license of the  
 2253 applicant, not have a health care license that was suspended or revoked in any state,  
 2254 district or territory of the United States, or Canada, and not have surrendered a health  
 2255 care license in lieu of a disciplinary action, unless:
- 2256 (i) the license was subsequently reinstated as a full unrestricted license in good  
 2257 standing; or
- 2258 (ii) the division in collaboration with the board determines to [its] the board's  
 2259 satisfaction, after full disclosure by the applicant, that:
- 2260 (A) the conduct has been corrected, monitored, and resolved; or
- 2261 (B) a mitigating circumstance exists that prevents [its] the investigation's or action's  
 2262 resolution, and the division in collaboration with the board is satisfied that, but  
 2263 for the mitigating circumstance, the license would be reinstated;
- 2264 (f) submit to a records review, a practice history review, and comprehensive  
 2265 assessments, if requested by the division in collaboration with the board; and
- 2266 (g) produce satisfactory evidence that the applicant meets the requirements of this

- 2267 Subsection (2) to the satisfaction of the division in collaboration with the board.
- 2268 (3) An applicant for licensure by endorsement may engage in the practice of medicine  
2269 under a temporary license while the division processes the applicant's application for  
2270 licensure~~[is being processed by the division, provided]~~ if:
- 2271 (a) the applicant submits a complete application required for temporary licensure to the  
2272 division;
- 2273 (b) the applicant submits a written document to the division from:
- 2274 (i) a health care facility licensed under Title 26B, Chapter 2, Part 2, Health Care  
2275 Facility Licensing and Inspection, stating that the applicant is practicing under the:  
2276 (A) invitation of the health care facility; and  
2277 (B) the general supervision of a physician practicing at the facility; or
- 2278 (ii) two individuals licensed under this chapter, whose license is in good standing and  
2279 who practice in the same clinical location, both stating that:
- 2280 (A) the applicant is practicing under the invitation and general supervision of the  
2281 individual; and  
2282 (B) the applicant will practice at the same clinical location as the individual;
- 2283 (c) the applicant submits a signed certification to the division that the applicant meets  
2284 the requirements of Subsection (2);
- 2285 (d) the applicant does not engage in the practice of medicine until the division ~~[has issued]~~  
2286 issues a temporary license;
- 2287 (e) the temporary license is ~~[only]~~ issued for only one year from the date of issuance and  
2288 may not be extended or renewed~~[beyond the duration of one year from issuance]~~; and
- 2289 (f) the temporary license expires immediately and ~~[prior to]~~ before the expiration of one  
2290 year from issuance, upon notification from the division that the division denied the  
2291 applicant's application for licensure by endorsement~~[is denied]~~.
- 2292 (4) The division shall issue a temporary license under Subsection (3) within 15 business  
2293 days after the day on which the applicant satisfies the requirements of Subsection (3).
- 2294 (5) The division may not require the following requirements for licensure:
- 2295 (a) a post-residency board certification; or
- 2296 (b) a cognitive test when the physician reaches a specified age, unless:
- 2297 (i) the screening is based on evidence of cognitive changes associated with aging that  
2298 are relevant to physician performance;
- 2299 (ii) the screening is based on principles of medical ethics;
- 2300 (iii) physicians are involved in the development of standards for assessing

- 2301 competency;
- 2302 (iv) guidelines, procedures, and methods of assessment, which may include cognitive  
2303 screening, are relevant to physician practice and to the physician's ability to  
2304 perform the tasks specifically required in the physician's practice environment;
- 2305 (v) the primary driver for establishing assessment results is the ethical obligation of  
2306 the profession to the health of the public and patient safety;
- 2307 (vi) the goal of the assessment is to optimize physician competency and performance  
2308 through education, remediation, and modifications to a physician's practice  
2309 environment or scope;
- 2310 (vii) a credentialing committee determines that public health or patient safety is  
2311 directly threatened, the screening permits a physician to retain the right to modify  
2312 the physician's practice environment to allow the physician to continue to provide  
2313 safe and effective care;
- 2314 (viii) guidelines, procedures, and methods of assessment are transparent to physicians  
2315 and physicians' representatives, if requested by a physician or a physician's  
2316 representative, and physicians are made aware of the specific methods used,  
2317 performance expectations and standards against which performance will be  
2318 judged, and the possible outcomes of the screening or assessment;
- 2319 (ix) education or remediation practices that result from screening or assessment  
2320 procedures are:
- 2321 (A) supportive of physician wellness;
- 2322 (B) ongoing; and
- 2323 (C) proactive; and
- 2324 (x) procedures and screening mechanisms that are distinctly different from for cause  
2325 assessments do not result in undue cost or burden to senior physicians providing  
2326 patient care.

2327 Section 22. Section **58-68-302** is amended to read:

2328 **58-68-302 . Qualifications for licensure.**

- 2329 (1) An applicant for licensure as an osteopathic physician and surgeon, except as set forth  
2330 in Subsection (2), shall:
- 2331 (a) submit an application in a form [~~prescribed by~~]the division approves, which may  
2332 include:
- 2333 (i) submissions by the applicant of information maintained by practitioner data banks,  
2334 as designated by division rule, with respect to the applicant;

- 2335 (ii) a record of professional liability claims made against the applicant and  
2336 settlements paid by or on behalf of the applicant; and
- 2337 (iii) authorization to use a record coordination and verification service approved by  
2338 the division in collaboration with the board;
- 2339 (b) pay a fee determined by the department under Section 63J-1-504;
- 2340 ~~[(e) if the applicant is applying to participate in the Interstate Medical Licensure~~  
2341 ~~Compact under Chapter 67b, Interstate Medical Licensure Compact, consent to a~~  
2342 ~~criminal background check in accordance with Section 58-68-302.1 and any~~  
2343 ~~requirements established by rule made in accordance with Title 63G, Chapter 3, Utah~~  
2344 ~~Administrative Rulemaking Act;]~~
- 2345 (c)(i) consent to, and complete, a criminal background check, described in Section  
2346 58-1-301.5;
- 2347 (ii) meet any other standard related to the criminal background check described in  
2348 Subsection (1)(c)(i), that the division establishes by rule in accordance with Title  
2349 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 2350 (iii) disclose any criminal history the division requests on a form the division  
2351 approves;
- 2352 (d) provide satisfactory documentation of having successfully completed a program of  
2353 professional education preparing an individual as an osteopathic physician and  
2354 surgeon, as evidenced by:
- 2355 (i) having received an earned degree of doctor of osteopathic medicine from an AOA  
2356 approved medical school or college; or
- 2357 (ii) submitting a current certification by the Educational Commission for Foreign  
2358 Medical Graduates or any successor organization approved by the division in  
2359 collaboration with the board, if the applicant is graduated from an osteopathic  
2360 medical school or college located outside of the United States or its territories  
2361 which at the time of the applicant's graduation, met criteria for accreditation by the  
2362 AOA;
- 2363 (e) satisfy the division and board that the applicant:
- 2364 (i) has successfully completed 24 months of progressive resident training in an  
2365 ACGME or AOA approved program after receiving a degree of doctor of  
2366 osteopathic medicine required under Subsection (1)(d); or
- 2367 (ii)(A) has successfully completed 12 months of resident training in an ACGME  
2368 or AOA approved program after receiving a degree of doctor of osteopathic

- 2369 medicine as required under Subsection (1)(d);
- 2370 (B) has been accepted in and is successfully participating in progressive resident
- 2371 training in an ACGME or AOA approved program within Utah, in the
- 2372 applicant's second or third year of postgraduate training; and
- 2373 (C) has agreed to surrender to the division the applicant's license as an osteopathic
- 2374 physician and surgeon without any proceedings under Title 63G, Chapter 4,
- 2375 Administrative Procedures Act, and has agreed the applicant's license as an
- 2376 osteopathic physician and surgeon will be automatically revoked by the
- 2377 division if the applicant fails to continue in good standing in an ACGME or
- 2378 AOA approved progressive resident training program within the state;
- 2379 (f) pass the licensing examination sequence required by division rule, as made in
- 2380 collaboration with the board;
- 2381 (g) be able to read, write, speak, understand, and be understood in the English language
- 2382 and demonstrate proficiency to the satisfaction of the board, if requested by the board;
- 2383 (h) meet with the board and representatives of the division, if requested for the purpose
- 2384 of evaluating the applicant's qualifications for licensure;
- 2385 (i) designate:
- 2386 (i) a contact person for access to medical records in accordance with the federal
- 2387 Health Insurance Portability and Accountability Act; and
- 2388 (ii) an alternate contact person for access to medical records, in the event the original
- 2389 contact person is unable or unwilling to serve as the contact person for access to
- 2390 medical records; and
- 2391 (j) establish a method for notifying patients of the identity and location of the contact
- 2392 person and alternate contact person, if the applicant will practice in a location with no
- 2393 other persons licensed under this chapter.
- 2394 (2) An applicant for licensure as an osteopathic physician and surgeon by endorsement who
- 2395 is currently licensed to practice osteopathic medicine in any state other than Utah, a
- 2396 district or territory of the United States, or Canada shall:
- 2397 (a) be currently licensed with a full unrestricted license in good standing in any state,
- 2398 district or territory of the United States, or Canada;
- 2399 (b) have been actively engaged in the legal practice of osteopathic medicine in any state,
- 2400 district or territory of the United States, or Canada for not less than 6,000 hours
- 2401 during the five years immediately preceding the day on which the applicant applied
- 2402 for licensure in Utah;

- 2403 (c) comply with the requirements for licensure under Subsections (1)(a) through (d),  
2404 (1)(e)(i), and (1)(g) through (j);
- 2405 (d) have passed the licensing examination sequence required in Subsection (1)(f) or  
2406 another medical licensing examination sequence in another state, district or territory  
2407 of the United States, or Canada that the division in collaboration with the board by  
2408 rulemaking determines is equivalent to [its] the board's own required examination;
- 2409 (e) not have any investigation or action pending against any health care license of the  
2410 applicant, not have a health care license that was suspended or revoked in any state,  
2411 district or territory of the United States, or Canada, and not have surrendered a health  
2412 care license in lieu of a disciplinary action, unless:
- 2413 (i) the license was subsequently reinstated as a full unrestricted license in good  
2414 standing; or
- 2415 (ii) the division in collaboration with the board determines, after full disclosure by  
2416 the applicant, that:
- 2417 (A) the conduct has been corrected, monitored, and resolved; or
- 2418 (B) a mitigating circumstance exists that prevents its resolution, and the division  
2419 in collaboration with the board is satisfied that, but for the mitigating  
2420 circumstance, the license would be reinstated;
- 2421 (f) submit to a records review, a practice review history, and physical and psychological  
2422 assessments, if requested by the division in collaboration with the board; and
- 2423 (g) produce evidence that the applicant meets the requirements of this Subsection (2) to  
2424 the satisfaction of the division in collaboration with the board.
- 2425 (3) An applicant for licensure by endorsement may engage in the practice of medicine  
2426 under a temporary license while the division processes the applicant's application for  
2427 licensure[ ~~is being processed by the division, provided~~ ] if:
- 2428 (a) the applicant submits a complete application required for temporary licensure to the  
2429 division;
- 2430 (b) the applicant submits a written document to the division from:
- 2431 (i) a health care facility licensed under Title 26B, Chapter 2, Part 2, Health Care  
2432 Facility Licensing and Inspection, stating that the applicant is practicing under the:  
2433 (A) invitation of the health care facility; and  
2434 (B) the general supervision of a physician practicing at the health care facility; or
- 2435 (ii) two individuals licensed under this chapter, whose license is in good standing and  
2436 who practice in the same clinical location, both stating that:



- 2437 (A) the applicant is practicing under the invitation and general supervision of the  
 2438 individual; and
- 2439 (B) the applicant will practice at the same clinical location as the individual;
- 2440 (c) the applicant submits a signed certification to the division that the applicant meets  
 2441 the requirements of Subsection (2);
- 2442 (d) the applicant does not engage in the practice of medicine until the division [~~has issued~~]  
 2443 issues a temporary license;
- 2444 (e) the temporary license is [~~only~~] issued for only one year from the date of issuance and  
 2445 may not be extended or renewed [~~beyond the duration of one year from issuance~~]; and
- 2446 (f) the temporary license expires immediately and [~~prior to~~] before the expiration of one  
 2447 year from issuance, upon notification from the division that the division denied the  
 2448 applicant's application for licensure by endorsement [~~is denied~~].
- 2449 (4) The division shall issue a temporary license under Subsection (3) within 15 business  
 2450 days after the applicant satisfies the requirements of Subsection (3).
- 2451 (5) The division may not require a:
- 2452 (a) post-residency board certification; or
- 2453 (b) a cognitive test when the physician reaches a specified age, unless the test reflects  
 2454 the standards described in Subsections 58-67-302(5)(b)(i) through (x).
- 2455 Section 23. Section **58-69-302** is amended to read:
- 2456 **58-69-302 . Qualifications -- Licensure as a dentist -- Licensure as a dental**  
 2457 **hygienist.**
- 2458 (1) An applicant for licensure as a dentist, except as provided in Subsection (2), shall:
- 2459 (a) submit an application in a form [~~as prescribed by~~] the division approves;
- 2460 (b) pay a fee as determined by the department under Section 63J-1-504;
- 2461 (c) provide satisfactory documentation of having successfully completed a program of  
 2462 professional education preparing an individual as a dentist as evidenced by having  
 2463 received an earned doctor's degree in dentistry from a dental school accredited by the  
 2464 Commission on Dental Accreditation of the American Dental Association;
- 2465 (d) pass the National Board Dental Examinations as administered by the Joint  
 2466 Commission on National Dental Examinations of the American Dental Association;
- 2467 (e) pass any regional dental clinical licensure examination approved by division rule  
 2468 made in collaboration with the board and in accordance with Title 63G, Chapter 3,  
 2469 Utah Administrative Rulemaking Act;
- 2470 (f) pass any other examinations regarding applicable law, rules, or ethics as established

- 2471 by division rule made in collaboration with the board and in accordance with Title  
 2472 63G, Chapter 3, Utah Administrative Rulemaking Act;
- 2473 (g) be able to read, write, speak, understand, and be understood in the English language  
 2474 and demonstrate proficiency to the satisfaction of the board if requested by the board;[  
 2475 and]
- 2476 (h) meet with the board if requested by the board or division for the purpose of  
 2477 examining the applicant's qualifications for licensure[-] ; and
- 2478 (i)(i) consent to, and complete, a criminal background check, described in Section  
 2479 58-1-301.5;
- 2480 (ii) meet any other standard related to the criminal background check described in  
 2481 Subsection (1)(i)(i), that the division establishes by rule in accordance with Title  
 2482 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 2483 (iii) disclose any criminal history the division requests on a form the division  
 2484 provides.
- 2485 (2) An applicant for licensure as a dentist qualifying under the endorsement provision of  
 2486 Section 58-1-302 shall:
- 2487 (a) be currently licensed in good standing with an unrestricted license in another  
 2488 jurisdiction described in Section 58-1-302;
- 2489 (b) document having met all requirements for licensure under Subsection (1) except  
 2490 Subsection (1)(c); and
- 2491 (c) document having been successfully engaged in clinical practice as a dentist for not  
 2492 less than 6,000 hours in the five years immediately preceding the date of application  
 2493 for licensure in Utah.
- 2494 (3) ~~[An]~~ Except as provided in Subsection (4), an applicant for licensure as a dental hygienist[  
 2495 , except as set forth in Subsection (4),] shall:
- 2496 (a) submit an application in a form ~~[as prescribed by]~~ the division approves;
- 2497 (b) pay a fee as determined by the department pursuant to Section 63J-1-504;
- 2498 (c) be a graduate holding a certificate or degree in dental hygiene from a school  
 2499 accredited by the Commission on Dental Accreditation of the American Dental  
 2500 Association;
- 2501 (d) pass the National Board Dental Hygiene Examination as administered by the Joint  
 2502 Commission on National Dental Examinations of the American Dental Association;
- 2503 (e) pass an examination consisting of practical demonstrations in the practice of dental  
 2504 hygiene and written or oral examination in the theory and practice of dental hygiene

- 2505 as established by division rule made in collaboration with the board;
- 2506 (f) pass any other examinations regarding applicable law, rules, and ethics as established
- 2507 by rule by division rule made in collaboration with the board;
- 2508 (g) be able to read, write, speak, understand, and be understood in the English language
- 2509 and demonstrate proficiency to the satisfaction of the board if requested by the board;[
- 2510 and]
- 2511 (h) meet with the board if requested by the board or division for the purpose of
- 2512 examining the applicant's qualifications for licensure[-] ; and
- 2513 (i)(i) consent to, and complete, a criminal background check, described in Section
- 2514 58-1-301.5;
- 2515 (ii) meet any other standard related to the criminal background check described in
- 2516 Subsection (3)(i)(i), that the division establishes by rule in accordance with Title
- 2517 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 2518 (iii) disclose any criminal history the division requests on a form the division
- 2519 provides.
- 2520 (4) An applicant for licensure as a dental hygienist qualifying under the endorsement
- 2521 provision of Section 58-1-302 shall:
- 2522 (a) be currently licensed in another jurisdiction set forth in Section 58-1-302;
- 2523 (b)(i) document having met all requirements for licensure under Subsection (3)
- 2524 except, an applicant having received licensure in another state or jurisdiction [
- 2525 ~~prior to~~ before 1962, the year when the National Board Dental Hygiene
- 2526 Examinations were first administered, shall document having passed a state
- 2527 administered examination acceptable to the division in collaboration with the
- 2528 board; or
- 2529 (ii) document having obtained licensure in another state or jurisdiction upon which
- 2530 licensure by endorsement is based [~~by~~] upon meeting requirements [~~which~~] that
- 2531 were equal to licensure requirements in Utah at the time the applicant obtained
- 2532 licensure in the other state or jurisdiction; and
- 2533 (c) document having been successfully engaged in practice as a dental hygienist for not
- 2534 less than 2,000 hours in the two years immediately preceding the date of application
- 2535 for licensure in Utah.

2536 Section 24. Section **58-70a-302** is amended to read:

2537 **58-70a-302 . Qualifications for licensure.**

2538 Each applicant for licensure as a physician assistant shall:

- 2539 (1) submit an application in a form~~[prescribed by]~~ the division approves;
- 2540 (2) pay a fee determined by the department under Section 63J-1-504;
- 2541 (3) have successfully completed a physician assistant program accredited by:
- 2542 (a) the Accreditation Review Commission on Education for the Physician Assistant; or
- 2543 (b) if ~~[prior to]~~ before January 1, 2001, either the:
- 2544 (i) Committee on Accreditation of Allied Health Education Programs; or
- 2545 (ii) Committee on Allied Health Education and Accreditation;
- 2546 (4) have passed the licensing examinations required by division rule made in collaboration
- 2547 with the board;
- 2548 (5) meet with the board and representatives of the division, if requested, for the purpose of
- 2549 evaluating the applicant's qualifications for licensure; and
- 2550 (6) ~~[if the applicant is applying to participate in the PA Licensure Compact under Chapter~~
- 2551 ~~70c, PA Licensure Compact, consent to a criminal background check in accordance with~~
- 2552 ~~Section 58-70a-301.1 and any requirements established by division rule made in~~
- 2553 ~~accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.]~~
- 2554 (a) consent to, and complete, a criminal background check, described in Section
- 2555 58-1-301.5;
- 2556 (b) meet any other standard related to the criminal background check described in
- 2557 Subsection (6)(a), that the division establishes by rule in accordance with Title 63G,
- 2558 Chapter 3, Utah Administrative Rulemaking Act; and
- 2559 (c) disclose any criminal history the division requests on a form the division provides.
- 2560 Section 25. Section **58-70b-302** is amended to read:
- 2561 **58-70b-302 . Qualifications for licensure.**
- 2562 Each applicant for licensure as an anesthesiologist assistant under this chapter
- 2563 shall:
- 2564 (1) submit an application on a form ~~[established by]~~the division approves;
- 2565 (2) pay a fee determined by the division under Section 63J-1-504;
- 2566 (3) provide satisfactory documentation of having graduated from a program certified by the
- 2567 Commission on Accreditation of Allied Health Education Programs or the commission's
- 2568 successor organization;
- 2569 (4) within 12 months of completing the training under Subsection (3), pass the certification
- 2570 exam offered by the National Commission for Certification of Anesthesiologist
- 2571 Assistants;~~[-and]~~
- 2572 (5) have the certification described in Subsection (4) at the time of the application and

- 2573 maintain the certification throughout the term of the license[-] ; and
- 2574 (6)(a) consent to, and complete, a criminal background check, described in Section
- 2575 58-1-301.5;
- 2576 (b) meet any other standard related to the criminal background check described in
- 2577 Subsection (6)(a), that the division establishes by rule in accordance with Title 63G,
- 2578 Chapter 3, Utah Administrative Rulemaking Act; and
- 2579 (c) disclose any criminal history the division requests on a form the division approves.
- 2580 Section 26. Section **58-71-302** is amended to read:
- 2581 **58-71-302 . Qualifications for licensure.**
- 2582 (1) ~~[An]~~ Except as provided in Subsection (2), an applicant for licensure as a naturopathic
- 2583 physician[~~, except as set forth in Subsection (2),~~] shall:
- 2584 (a) submit an application in a form ~~[prescribed by]~~ the division approves, which may
- 2585 include:
- 2586 (i) submissions by the applicant of information maintained by practitioner data banks,
- 2587 as designated by division rule, with respect to the applicant; and
- 2588 (ii) a record of professional liability claims made against the applicant and
- 2589 settlements paid by or ~~[in]~~ on behalf of the applicant;
- 2590 (b) pay a fee determined by the department under Section 63J-1-504;
- 2591 (c) provide satisfactory documentation of having successfully completed a program of
- 2592 professional education preparing an individual as a naturopathic physician, as
- 2593 evidenced by having received an earned degree of doctor of naturopathic medicine
- 2594 from:
- 2595 (i) a naturopathic medical school or college accredited by the Council of
- 2596 Naturopathic Medical Education or ~~[its]~~ the successor organization approved by
- 2597 the division;
- 2598 (ii) a naturopathic medical school or college that is a candidate for accreditation by
- 2599 the Council of Naturopathic Medical Education or ~~[its]~~ the successor organization,
- 2600 and is approved by the division, upon a finding there is reasonable expectation the
- 2601 school or college ~~[will]~~ shall be accredited; or
- 2602 (iii) a naturopathic medical school or college which, at the time of the applicant's
- 2603 graduation, met current criteria for accreditation by the Council of Naturopathic
- 2604 Medical Education or ~~[its]~~ the successor organization approved by the division;
- 2605 (d) provide satisfactory documentation of having successfully completed, after
- 2606 successful completion of the education requirements ~~[set forth]~~ described in

- 2607 Subsection (1)(c), 12 months of clinical experience in naturopathic medicine in a  
 2608 residency program recognized by the division and associated with an accredited  
 2609 school or college of naturopathic medicine, and under the preceptorship of a licensed  
 2610 naturopathic physician, physician and surgeon, or osteopathic physician;
- 2611 (e) pass the licensing examination sequence required by division rule;
- 2612 (f) be able to read, write, speak, understand, and be understood in the English language  
 2613 and demonstrate proficiency to the satisfaction of the division if requested by the  
 2614 division;~~and]~~
- 2615 (g) meet with representatives of the division, if requested, for the purpose of evaluating  
 2616 the applicant's qualifications for licensure~~[-]~~ ; and
- 2617 (h)(i) consent to, and complete, a criminal background check, described in Section  
 2618 58-1-301.5;
- 2619 (ii) meet any other standard related to the criminal background check described in  
 2620 Subsection (1)(h)(i), that the division establishes by rule in accordance with Title  
 2621 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 2622 (iii) disclose any criminal history the division requests on a form the division  
 2623 approves.
- 2624 (2)(a) In accordance with Subsection (2)(b), an applicant for licensure as a naturopathic  
 2625 physician under the endorsement provision of Section 58-1-302 shall:
- 2626 (i) meet the requirements of Section 58-1-302;
- 2627 (ii) document having met all requirements for licensure under Subsection (1) except  
 2628 the clinical experience requirement of Subsection (1)(d);
- 2629 (iii) have passed the examination requirements established under Subsection (1)(e)  
 2630 that:
- 2631 (A) the applicant has not passed in connection with licensure in another state or  
 2632 jurisdiction; and
- 2633 (B) are available to the applicant to take without requiring additional professional  
 2634 education;
- 2635 (iv) have been actively engaged in the practice of a naturopathic physician for not  
 2636 less than 6,000 hours during the five years immediately preceding the date of  
 2637 application for licensure in Utah; and
- 2638 (v) meet with representatives of the division for the purpose of evaluating the  
 2639 applicant's qualifications for licensure.
- 2640 (b) The division may rely, either wholly or in part, on one or more credentialing

2641 associations designated by division rule to document and certify in writing to the  
 2642 satisfaction of the division that an applicant has met each of the requirements of this  
 2643 Subsection (2), including the requirements of Section 58-1-302, and that:  
 2644 (i) the applicant holds a current license;  
 2645 (ii) the education, experience, and examination requirements of the foreign country or  
 2646 the state, district, or territory of the United States that issued the applicant's license  
 2647 are, or were at the time the license was issued, equal to those of this state for  
 2648 licensure as a naturopathic physician; and  
 2649 (iii) the applicant has produced evidence satisfactory to the division of the applicant's  
 2650 qualifications, identity, and good standing as a naturopathic physician.

2651 Section 27. Section **58-73-302** is amended to read:

2652 **58-73-302 . Qualifications for licensure.**

- 2653 (1) Each applicant for licensure as a chiropractic physician, other than ~~[those]~~ an applicant  
 2654 applying for a license based on licensure as a chiropractor or chiropractic physician in  
 2655 another jurisdiction, shall:
- 2656 (a) submit an application in a form~~[prescribed by]~~ the division approves;
  - 2657 (b) pay a fee determined by the department under Section 63J-1-504;
  - 2658 (c) demonstrate satisfactory completion of at least two years of general study in a  
 2659 college or university;
  - 2660 (d) demonstrate having earned a degree of doctor of chiropractic from a chiropractic  
 2661 college or university that at the time the degree was conferred was accredited by the  
 2662 Council on Chiropractic Education, Inc., or an equivalent chiropractic accrediting  
 2663 body recognized by the United States Department of Education and by the division  
 2664 rule made in collaboration with the board;
  - 2665 (e) demonstrate successful completion of:
    - 2666 (i) the National Chiropractic Boards:
      - 2667 (A) Parts I and II;
      - 2668 (B) Written Clinical Competency Examination; and
      - 2669 (C) Physiotherapy;
    - 2670 (ii) the Utah Chiropractic Law and Rules Examination; and
    - 2671 (iii) a practical examination approved by the division in collaboration with the board;[  
 2672 ~~and]~~
  - 2673 (f) meet with the board, if requested, for the purpose of reviewing the applicant's  
 2674 qualifications for licensure~~[:]~~ ; and

2675 (g)(i) consent to, and complete, a criminal background check, described in Section  
 2676 58-1-301.5;  
 2677 (ii) meet any other standard related to the criminal background check described in  
 2678 Subsection (1)(g)(i), that the division establishes by rule in accordance with Title  
 2679 63G, Chapter 3, Utah Administrative Rulemaking Act; and  
 2680 (iii) disclose any criminal history the division requests on a form the division  
 2681 approves.

2682 (2) Each applicant for licensure as a chiropractic physician based on licensure as a  
 2683 chiropractor or chiropractic physician in another jurisdiction shall:  
 2684 (a) submit an application in the form~~[prescribed by]~~ the division approves;  
 2685 (b) pay a fee determined by the department under Section 63J-1-504;  
 2686 (c) demonstrate having obtained licensure as a chiropractor or chiropractic physician in  
 2687 another state under education requirements which were equivalent to the education  
 2688 requirements in this state to obtain a chiropractor or chiropractic physician license at  
 2689 the time the applicant obtained the license in the other state;  
 2690 (d) demonstrate successful completion of:  
 2691 (i) the Utah Chiropractic Law and Rules Examination; and  
 2692 (ii) the Special Purposes Examination for Chiropractic (SPEC) of the National Board  
 2693 of Chiropractic Examiners;  
 2694 (e) have been actively engaged in the practice of chiropractic for not less than two years  
 2695 immediately preceding application for licensure in ~~[this state; and]~~ Utah;  
 2696 (f) meet with the board, if requested, for the purpose of reviewing the applicant's  
 2697 qualifications for licensure~~[-]~~ ; and

2698 (g)(i) consent to, and complete, a criminal background check, described in Section  
 2699 58-1-301.5;  
 2700 (ii) meet any other standard related to the criminal background check described in  
 2701 Subsection (2)(g)(i), that the division establishes by rule in accordance with Title  
 2702 63G, Chapter 3, Utah Administrative Rulemaking Act; and  
 2703 (iii) disclose any criminal history the division requests on a form the division  
 2704 provides.

2705 Section 28. **Repealer.**

2706 This bill repeals:

2707 Section **58-44a-302.1, Background checks.**

2708 Section **58-70a-301.1, Criminal background check.**



- 2709 Section **58-68-302.1, Qualifications for licensure -- Criminal background check.**
- 2710 Section **58-67-302.1, Qualifications for licensure -- Criminal background check.**
- 2711 Section **58-64-302.1, Criminal background check.**
- 2712 Section **58-63-302.1, Criminal background check.**
- 2713 Section **58-61-304.1, Criminal background check.**
- 2714 Section **58-60-103.1, Criminal background check.**
- 2715 Section **58-55-302.1, Criminal background check.**
- 2716 Section **58-47b-302.1, Criminal background check.**
- 2717 Section **58-42a-302.1, Criminal background check.**
- 2718 Section **58-24b-302.1, Criminal background check.**
- 2719 Section **58-17b-307, Qualification for licensure -- Criminal background checks.**
- 2720 Section 29. **Effective Date.**
- 2721 This bill takes effect on May 7, 2025.