REFERENCE TITLE: occupational licensing; reciprocity

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

HB 2569

Introduced by

AN ACT

AMENDING SECTION 32-4302, ARIZONA REVISED STATUTES; RELATING TO OCCUPATIONAL LICENSING.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 32-4302, Arizona Revised Statutes, is amended to read:

32-4302. Out-of-state applicants; military spouses; reciprocity; exceptions

A. Notwithstanding any other law, an OCCUPATIONAL license or certificate shall be issued, in the discipline applied for and at the same practice level as determined by the regulating entity, pursuant to this title without an examination to a person who ESTABLISHES RESIDENCE IN THIS STATE OR is married to an active duty member of the armed forces of the United States and who is accompanying the member to an official permanent change of station to a military installation located in this state if all of the following apply:

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

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

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

4. The person previously passed an examination required for the license or certification IF REQUIRED BY THE OTHER STATE.

5. The person has not had a license or certificate revoked and has not voluntarily surrendered a license or certificate in any other state or country while under investigation for unprofessional conduct.

6. The person has not had discipline imposed by any other regulating entity. If another jurisdiction has taken disciplinary action against the person, the regulating entity shall determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved by that jurisdiction, the regulating entity may not issue or deny a license until the matter is resolved.

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

8. The person pays all applicable fees.

9. The person does not have a disqualifying criminal history as determined by the regulating entity pursuant to Section 41-1093.04.

B. This section does not prevent a regulating entity under this title from entering into a reciprocity agreement with another state or jurisdiction for persons married to active duty members of the armed forces of the United States, except that the agreement may not allow out-of-state licensees or certificate holders to obtain a license or certificate by reciprocity in this state if the applicant has not met standards that are substantially equivalent to or greater than the standards required in this state as determined by the regulating entity on a case-by-case basis.

C. A regulating entity that administers an examination on laws of this state as part of its license or certificate application requirement may require an applicant to take and pass an examination on the laws of this state.

D. A person who is licensed pursuant to this title is subject to the laws regulating the person's practice in this state and is subject to the regulating entity's jurisdiction.

E. E. This section does not apply to: a regulating entity under this title that has entered into a licensing compact with another state for the regulation of practice under the regulating entity's jurisdiction.

1. A license or registration certificate that is issued pursuant to Chapter 24 or 26 of this title.

2. Requirements for a fingerprint clearance card issued pursuant to Title 41, Chapter 12, Article 3.1.

3. Criteria for a license, permit or certificate of eligibility that is established by an interstate compact.