

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

HOUSE BILL 2569

AN ACT

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

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

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

4 32-4302. Out-of-state applicants; residents; military
5 spouses; licensure; certification; exceptions

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

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

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

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

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

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

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

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

1 deny a license to the applicant until the complaint, allegation or
2 investigation is resolved.

3 8. The person pays all applicable fees.

4 9. THE PERSON DOES NOT HAVE A DISQUALIFYING CRIMINAL HISTORY AS
5 DETERMINED BY THE REGULATING ENTITY PURSUANT TO SECTION 41-1093.04.

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

15 C. EXCEPT AS PROVIDED IN SUBSECTION A OF THIS SECTION, A REGULATING
16 ENTITY THAT ADMINISTERS AN EXAMINATION ON LAWS OF THIS STATE AS PART OF
17 ITS LICENSE OR CERTIFICATE APPLICATION REQUIREMENT MAY REQUIRE AN
18 APPLICANT TO TAKE AND PASS AN EXAMINATION SPECIFIC TO THE LAWS OF THIS
19 STATE.

20 D. A PERSON WHO IS LICENSED PURSUANT TO THIS TITLE IS SUBJECT TO
21 THE LAWS REGULATING THE PERSON'S PRACTICE IN THIS STATE AND IS SUBJECT TO
22 THE REGULATING ENTITY'S JURISDICTION.

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

26 1. A LICENSE OR REGISTRATION CERTIFICATE THAT IS ISSUED PURSUANT TO
27 CHAPTER 24 OR 26 OF THIS TITLE.

28 2. REQUIREMENTS FOR A FINGERPRINT CLEARANCE CARD ISSUED PURSUANT TO
29 TITLE 41, CHAPTER 12, ARTICLE 3.1.

30 3. CRITERIA FOR A LICENSE, PERMIT OR CERTIFICATE OF ELIGIBILITY
31 THAT IS ESTABLISHED BY AN INTERSTATE COMPACT.

32 4. THE ABILITY OF A REGULATING ENTITY UNDER THIS TITLE TO REQUIRE
33 AN APPLICANT TO SUBMIT FINGERPRINTS IN ORDER TO ACCESS STATE AND FEDERAL
34 CRIMINAL RECORDS INFORMATION FOR NONCRIMINAL JUSTICE PURPOSES.

35 F. A LICENSE OR CERTIFICATE ISSUED PURSUANT TO THIS SECTION IS
36 VALID ONLY IN THIS STATE AND DOES NOT MAKE THE PERSON ELIGIBLE TO BE PART
37 OF AN INTERSTATE COMPACT. A REGULATING ENTITY UNDER THIS TITLE MAY
38 DETERMINE ELIGIBILITY FOR AN APPLICANT TO BE LICENSED OR CERTIFIED UNDER
39 THIS SECTION IF THE APPLICANT IS NOT PART OF AN INTERSTATE COMPACT.