

REFERENCE TITLE: occupational licensure; certification; requirements;
residents

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HB 2175

Introduced by
Representatives Blanc: Engel, Rodriguez

AN ACT

AMENDING SECTION 32-4302, ARIZONA REVISED STATUTES; RELATING TO BOARD
LICENSURE, CERTIFICATION AND REGISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Heading change

3 The chapter heading of title 32, chapter 43, Arizona Revised
4 Statutes, is changed from "LICENSURE, CERTIFICATION AND REGISTRATION OF
5 MILITARY MEMBERS" to "BOARD LICENSURE, CERTIFICATION AND REGISTRATION".

6 Sec. 2. Section 32-4302, Arizona Revised Statutes, is amended to
7 read:

8 32-4302. Residents; military spouses; licensure;
9 certification; exceptions

10 A. Notwithstanding any other law, an occupational or professional
11 license or certificate shall be issued, in the discipline applied for and
12 at the same practice level as determined by the regulating entity,
13 pursuant to this title to a person who establishes residence in this state
14 or without an examination to a person who is married to an active duty
15 member of the armed forces of the United States and who is accompanying
16 the member to an official permanent change of station to a military
17 installation located in this state if all of the following apply:

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

23 2. The person has been licensed or certified by another state for
24 at least one year.

25 3. THE PERSON HAS BEEN CONTINUOUSLY LICENSED OR CERTIFIED AND
26 PRACTICING FOR AT LEAST SIX MONTHS IN ANOTHER STATE BEFORE APPLYING IN
27 THIS STATE.

28 4. THE PERSON IS IN COMPLIANCE WITH THE LICENSING OR CERTIFYING
29 STATE'S CONTINUING EDUCATION REQUIREMENTS.

30 ~~5.~~ 5. When the person was licensed or certified by another state
31 there were minimum education requirements and, if applicable, work
32 experience and clinical supervision requirements in effect and the other
33 state verifies that the person met those requirements in order to be
34 licensed or certified in that state.

35 ~~4.~~ 6. The person previously passed an examination required for the
36 license or certification if required by the other state.

37 ~~5.~~ 7. The person has not had a license or certificate revoked and
38 has not voluntarily surrendered a license or certificate in any other
39 state or country while under investigation for unprofessional conduct.

40 ~~6.~~ 8. The person ATTESTS AT THE TIME OF APPLYING THAT THE PERSON
41 has not had discipline imposed by any other regulating entity. If another
42 jurisdiction has taken disciplinary action against the person, the
43 regulating entity shall determine if the cause for the action was
44 corrected and the matter resolved. If the matter has not been resolved by

1 that jurisdiction, the regulating entity may not issue or deny a license
2 until the matter is resolved.

3 ~~7.~~ 9. The person does not have a complaint, allegation or
4 investigation pending before another regulating entity in another state or
5 country that relates to unprofessional conduct. If an applicant has any
6 complaints, allegations or investigations pending, the regulating entity
7 in this state shall suspend the application process and may not issue or
8 deny a license to the applicant until the complaint, allegation or
9 investigation is resolved.

10 ~~8.~~ 10. The person pays all applicable fees.

11 ~~9.~~ 11. The person does not have a disqualifying criminal history
12 as determined by the regulating entity pursuant to section 41-1093.04.

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

22 C. Except as provided in subsection A of this section, a regulating
23 entity that administers an examination on laws of this state as part of
24 its license or certificate application requirement may require an
25 applicant to take and pass an examination specific to the laws of this
26 state.

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

30 E. This section does not apply to:

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

33 2. Requirements for a fingerprint clearance card issued pursuant to
34 title 41, chapter 12, article 3.1.

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

37 4. The ability of a regulating entity under this title to require
38 an applicant to submit fingerprints in order to access state and federal
39 criminal records information for noncriminal justice purposes.

40 F. A license or certificate issued pursuant to this section is
41 valid only in this state and does not make the person eligible to be part
42 of an interstate compact. A regulating entity under this title may
43 determine eligibility for an applicant to be licensed or certified under
44 this section if the applicant is not part of an interstate compact.