

Senate Engrossed

occupational and professional licensure; notice.

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

SENATE BILL 1149

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. Out-of-state applicants; residents; military
9 spouses; licensure; certification; exceptions;
10 notice

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

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

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

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

31 4. The person previously passed an examination required for the
32 license or certification if required by the other state.

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

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

42 7. The person does not have a complaint, allegation or
43 investigation pending before another regulating entity in another state or
44 country that relates to unprofessional conduct. If an applicant has any
45 complaints, allegations or investigations pending, the regulating entity

1 in this state shall suspend the application process and may not issue or
2 deny a license to the applicant until the complaint, allegation or
3 investigation is resolved.

4 8. The person pays all applicable fees.

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

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

16 C. Except as provided in subsection A of this section, a regulating
17 entity that administers an examination on laws of this state as part of
18 its license or certificate application requirement may require an
19 applicant to take and pass an examination specific to the laws of this
20 state.

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

24 E. This section does not apply to:

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

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

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

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

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

39 G. A REGULATING ENTITY UNDER THIS TITLE SHALL PROMINENTLY PRINT THE
40 FOLLOWING NOTICE ON ALL LICENSE AND CERTIFICATE APPLICATIONS AND
41 REGULATING ENTITY WEBSITES:

1 PURSUANT TO SECTION 32-4302, ARIZONA REVISED STATUTES, A
2 PERSON SHALL BE GRANTED AN OCCUPATIONAL OR PROFESSIONAL
3 LICENSE OR CERTIFICATE IF THE PERSON HAS BEEN LICENSED OR
4 CERTIFIED IN ANOTHER STATE FOR AT LEAST TWELVE MONTHS, THE
5 LICENSE OR CERTIFICATE IS IN THE SAME DISCIPLINE AND AT THE
6 SAME PRACTICE LEVEL AS THE LICENSE OR CERTIFICATE FOR WHICH
7 THE PERSON IS APPLYING IN THIS STATE AND THE PERSON MEETS
8 OTHER CONDITIONS PRESCRIBED BY SECTION 32-4302, ARIZONA
9 REVISED STATUTES.