

ASSEMBLY THIRD READING

AB 225 (Gray, et al.)

As Amended May 24, 2021

Majority vote

SUMMARY

Requires certain boards and bureaus within the Department of Consumer Affairs (DCA) to issue temporary licenses to veterans and active duty members of the Armed Forces who meet specified criteria.

Major Provisions

- 1) Expands eligibility for temporary licenses currently issued by specified boards and bureaus under the DCA to spouses and partners of active duty members of the Armed Forces to also include the following:
 - a) Veterans of the Armed Forces of the United States within six months of separation from active duty under other-than-dishonorable conditions.
 - b) Active duty members of the Armed Forces of the United States with official orders for separation within 90 days under other-than-dishonorable conditions.
- 2) Strikes language providing that temporary licenses expire upon denial of an application for expedited licensure by a board and provide instead that they expire upon the earlier of 12 months after issuance or upon issuance of a standard license, a license by endorsement, or an expedited license.

COMMENTS

According to the National Conference of State Legislatures (NCSL), there are approximately 18.5 million veterans and 478,963 active duty military spouses or partners living in the United States today. In recognition of the tremendous sacrifices made by both military service members and their families, policymakers have routinely pursued opportunities to help provide these individuals with economic opportunity. In recent years, this has included examination of the potential to remove barriers to entry into professions and vocations requiring licensure in California through the DCA.

The United States Department of Defense provides training to many members of the Armed Forces in numerous disciplines that are directly relevant to professions requiring licensure. The NCSL states that as of 2017, approximately 30,322 active-duty enlisted personnel were trained in construction; 68,365 were trained in health care; 129,209 were trained in electronic and electrical equipment repair; 161,571 were trained as engineers; and 160,690 were trained as mechanics. Despite this substantial education, training, and experience, many veterans report having difficulty finding employment upon honorable discharge.

Meanwhile, the Syracuse University Institute for Veterans and Military Families found that up to 35% of military spouses are employed in fields requiring licensure. Because each state possesses its own licensing regime for professional occupations, military family members are required to obtain a new license each time they move states, with one-third of military spouses reportedly moving four or more times while their partner is active duty. Because of the barriers

encountered by military family members who seek to relocate their licensed work to a new state, it is understood that continuing to work in their field is often challenging if not impossible.

Currently, statute provides for several accommodations of both military family and veteran license applicants. Boards are required to inquire about the military status of each of their applicants so that military experience may potentially be applied toward licensure training requirements. Boards are also required to expedite licensure for military veterans as well as the spouses and partners of active duty military.

Statute also provides that temporary licenses be provided to military spouses and partners in a handful of occupations and professions. Specifically, the following licenses may be granted temporarily to military family members pending determination that the applicant qualifies for a permanent license:

- 1) Registered nurses licensed by the Board of Registered Nursing.
- 2) Vocational nurse licenses issued by the Board of Vocational Nursing and Psychiatric Technicians of the State of California.
- 3) Psychiatric technician licenses issued by the Board of Vocational Nursing and Psychiatric Technicians of the State of California.
- 4) Speech-language pathologist licenses issued by the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board.
- 5) Audiologist licenses issued by the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board.
- 6) Veterinarian licenses issued by the Veterinary Medical Board.
- 7) All licenses issued by the Board for Professional Engineers, Land Surveyors, and Geologists.
- 8) All licenses issued by the Medical Board of California.
- 9) All licenses issued by the Podiatric Medical Board of California.

These temporary licenses are available to applicants who supply evidence satisfactory to the board that the applicant is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders. The applicants are required to hold a current, active, and unrestricted license that confers upon the applicant the authority to practice, in another state, district, or territory of the United States, the profession or vocation for which the applicant seeks a temporary license from the board. Currently, these temporary licenses are valid for 12 months.

To qualify for temporary licensure, the military family member submits an application to the board that includes a signed affidavit attesting to the fact that the applicant meets all of the requirements for the temporary license and that the information submitted in the application is accurate, to the best of the applicant's knowledge. The application also includes written verification from the applicant's original licensing jurisdiction stating that the applicant's license is in good standing in that jurisdiction. The applicant may not have committed an act in any

jurisdiction that would have constituted grounds for denial, suspension, or revocation of the license, and the applicant cannot have been disciplined by a licensing entity in another jurisdiction or have been the subject of an unresolved complaint, review procedure, or disciplinary proceeding conducted by a licensing entity in another jurisdiction.

This bill would seek to expand opportunities to Armed Forces veterans beyond what is currently provided for in the law. The bill would only apply to licenses issued by boards that are already subject to existing temporary license provisions. The same standards and qualifications would be required of applicants; however, the privileges granted would be extended to individuals who are leaving or have recently left the military. The bill would grant temporary licenses to veterans of the Armed Forces within six months of separation from active duty, active duty members of the Armed Forces of the United States with official orders for separation within 90 days, under other-than-dishonorable conditions.

According to the Author

"California routinely lags other states in our treatment and accommodation of veterans and their families despite being home to more veterans than any other state. The US Department of Labor ranks California's military spouse licensure recognition in the bottom third of states, while California has been found to be one of the least veteran-friendly states as measured by veterans' economic conditions (46th), veteran homelessness (48th), and affordable housing (50th). While California has passed several reforms to expedite licensure for veterans and military spouses, we have stopped short of creating true license portability. Thirty-seven other states have license recognition laws veteran-friendly than California and fifteen other states, including Oregon, Utah, and Michigan have laws requiring even greater license portability than AB 3045 proposes. AB 3045 requires most licensing boards under the Department of Consumer Affairs to honor the out-of-state professional license of a veteran or activity duty military spouse to create license portability for this vulnerable community."

Arguments in Support

The *San Diego Military Advisory Council* (SDMAC) supports this bill. According to SDMAC, "as our military families move into California the ability for the spouse to continue work is key to affording to live in our state. Licensing challenges are a top contributor to military spouse unemployment and under-employment, and the nonprofit Blue Star Families' recent survey found military spouse employment is the top concern among military families."

Arguments in Opposition

The *Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board* (Board) opposes this bill unless amended. The Board writes that it is "opposed to the elimination of a provision making a temporary license invalid upon the denial of an application which could allow unqualified individuals authority to practice under a temporary license for 18 months. The Board requests amendments to retain current law authorizing a temporary license to become invalid if the application for a permanent license is denied."

FISCAL COMMENTS

According to the Assembly Appropriations Committee, minor and absorbable costs to DCA boards.

VOTES

ASM BUSINESS AND PROFESSIONS: 18-0-1

YES: Low, Flora, Arambula, Berman, Bloom, Chen, Chiu, Valladares, Megan Dahle, Fong, Gipson, Grayson, Holden, Irwin, McCarty, Medina, Salas, Ting

ABS, ABST OR NV: Mullin

ASM MILITARY AND VETERANS AFFAIRS: 11-0-0

YES: Irwin, Voepel, Boerner Horvath, Daly, Frazier, Mathis, Muratsuchi, Petrie-Norris, Ramos, Salas, Smith

ASM APPROPRIATIONS: 12-0-4

YES: Lorena Gonzalez, Calderon, Carrillo, Chau, Gabriel, Eduardo Garcia, Levine, Quirk, Robert Rivas, Akilah Weber, Holden, Luz Rivas

ABS, ABST OR NV: Bigelow, Megan Dahle, Davies, Fong

UPDATED

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