

---

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Xavier I. Alexander.

---

DIGEST

SB 483 Original

2022 Regular Session

Cathey

Proposed law defines the terms, "government certification", "lawful occupation", "military", "occupational license", "other state", "private certification", "professional or occupational licensing board", and "scope of practice".

Proposed law provides that the professional or occupational licensing board (board) shall issue an occupational license or government certification if all of the following apply:

- (1) The person holds a current and valid occupational license or government certification in another state in a lawful occupation with a similar scope of practice, as determined by the board.
- (2) The person has held the occupational license or government certification in the other state for at least one year.
- (3) The board in the other state required the person pass an examination or to meet education, training, or experience standards.
- (4) The board in the other state holds the person in good standing.
- (5) The person does not have a disqualifying criminal record as determined by the board under state law.
- (6) No board in another state has revoked the person's occupational license or government certification because of negligence or intentional misconduct related to the person's work in the occupation.
- (7) The person did not surrender his occupational license or government certification because of negligence or intentional misconduct related to his work in the occupation in another state.
- (8) The person does not have a complaint, allegation, or investigation pending before a board in another state which relates to unprofessional conduct or an alleged crime. If the person has a complaint, allegation, or investigation pending, the board shall not issue or deny an occupational license or government certification to the person until the complaint, allegation, or investigation is resolved or the person otherwise meets the criteria for an occupational license or government certification in this state to the satisfaction of the board.
- (9) The person pays all applicable fees in this state including any board required background checks.

Proposed law provides that the board shall issue an occupational license or government certification to a person based on work experience in another state if all of the following apply:

- (1) The person worked in a state that does not use an occupational license or government certification to regulate a lawful occupation, but this state uses an occupational license or government certification to regulate a lawful occupation with a similar scope of practice, as determined by the board.
- (2) The person worked for at least three years in the lawful occupation.
- (3) The person satisfies all requirements under proposed law.

Proposed law provides that the board shall issue an occupational license or government certification to a person based on holding a private certification and work experience in another state if all of the following apply:

- (1) The person holds a private certification and worked in a state that does not use an occupational license or government certification to regulate a lawful occupation, but this state uses an occupational license or government certification to regulate a lawful occupation with a similar scope of practice, as determined by the board.
- (2) The person worked for at least two years in the lawful occupation.
- (3) The person holds a current and valid private certification in the lawful occupation.
- (4) The private certification organization holds the person in good standing.
- (5) The person satisfies all requirements under proposed law.

Proposed law provides that the board may require a person to pass an examination specific to the occupation if the license issued in this state requires an examination.

Proposed law provides that a person who obtains an occupational licence or government certification is subject to all laws regulating the occupation and jurisdiction of this state.

Proposed law provides for exceptions.

Proposed law provides for the following limitations:

- (1) Nothing in proposed law shall prohibit a person from applying for an occupational license or government certification under another statute or rule in state law.
- (2) An occupational license or government certification issued pursuant to proposed law is valid only in Louisiana. It does not make the person eligible to work in another state under an interstate compact or reciprocity agreement unless otherwise provided in law.

- (3) Nothing in proposed law shall prevent Louisiana from entering into a licensing compact or reciprocity agreement with another state, foreign province, foreign country, international organization, or other entity.
- (4) Nothing in proposed law shall prevent Louisiana from recognizing occupational credentials issued by a private certification organization, foreign province, foreign country, international organization, or other entity.
- (5) Nothing in proposed law shall require a private certification organization to grant or deny private certification to any individual.

Proposed law provides that during a declared emergency, the governor may order the recognition of an occupational license from another state and that the governor may expand any license's scope of practice.

Proposed law provides that the board will provide the person with a written decision regarding the application within 45 days of receiving a completed application.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 37:51-60)