

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 4150 of Title 59, unless there
3 is created a duplication in numbering, reads as follows:

4 This act shall be known and may be cited as the "Universal
5 Occupational License Recognition Act".

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 4150.1 of Title 59, unless there
8 is created a duplication in numbering, reads as follows:

9 A. Notwithstanding any other law, an occupational license or
10 certificate shall be issued, in the discipline applied for and at
11 the same practice level as determined by the regulating entity,
12 pursuant to this act to a person who offers proof of physical
13 residency in this state or is married to an active duty member of
14 the armed forces of the United States and who is accompanying such
15 member to an official permanent change of station to a military
16 installation located in this state if all of the following apply:

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

22 2. The person has been licensed or certified by another state
23 for at least one (1) year;

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1 3. When the person was licensed or certified by another state
2 there were minimum education requirements and, if applicable, work
3 experience and clinical supervision requirements in effect and the
4 other state verifies that the person met those requirements in order
5 to be licensed or certified in that state;

6 4. The person previously passed an examination required for the
7 license or certification if required by the other state;

8 5. The person has not had a license or certificate revoked and
9 has not voluntarily surrendered a license or certificate in any
10 other state or country while under investigation for unprofessional
11 conduct;

12 6. The person has not had discipline imposed by any other
13 regulating entity. If another jurisdiction has taken disciplinary
14 action against the person, the regulating entity shall determine if
15 the cause for the action was corrected and the matter resolved. If
16 the matter has not been resolved by that jurisdiction, the
17 regulating entity may not issue or deny a license until the matter
18 is resolved;

19 7. The person does not have a complaint, allegation or
20 investigation pending before another regulating entity in another
21 state or country that relates to unprofessional conduct. If an
22 applicant has any complaints, allegations or investigations pending,
23 the regulating entity in this state shall suspend the application
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1 process and may not issue or deny a license to the applicant until
2 the complaint, allegation or investigation is resolved;

3 8. The person pays all applicable fees, not exceeding the cost
4 of current in-state licensure fees; and

5 9. The person does not have a disqualifying criminal history as
6 determined by the regulating entity and current state law.

7 B. This section does not prevent a regulating entity under this
8 act 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
13 met standards that are substantially equivalent to or greater than
14 the standards required in this state as determined by the regulating
15 entity on a case-by-case basis.

16 C. A regulating entity that administers an examination on laws
17 of this state as part of its license or certificate application
18 requirement may require an applicant to take and pass an examination
19 on the laws of this state.

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

23 E. This section does not apply to:

24 1. Requirements for a fingerprint clearance card; and

1 2. Criteria for a license, permit or certificate of eligibility
2 that is established by an interstate compact.

3 F. For purposes of this act, the term "proof of physical
4 residency" means the presentation of two separate forms of
5 documentation showing the person has established and maintains a
6 physical dwelling place or legal residency within this state. The
7 documentation may be issued by the state, a political subdivision or
8 an agency of this state or governmental entity in the form of a
9 utility service statement, tax return or statement, state or
10 military identification card, driver license, active military orders
11 or a private document such as a residential lease agreement or real
12 estate document, or other documents acceptable to the regulating
13 entity; provided, each document must bear the same person's name and
14 physical address on its face.

15 SECTION 3. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 4150.2 of Title 59, unless there
17 is created a duplication in numbering, reads as follows:

18 Recognition of out-of-state work experience.

19 Notwithstanding any other law, the regulating entity shall issue
20 an occupational license or government certification to a person upon
21 application based on work experience in another state, provided the
22 person offers proof of physical residency in this state, if all the
23 following apply:
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1 1. The person worked in a state that does not use an
2 occupational license or government certification to regulate a
3 lawful occupation, but this state uses an occupational license or
4 government certification to regulate a lawful occupation with a
5 similar scope of practice, as determined by the regulating entity;

6 2. The person worked for at least one (1) year in the lawful
7 occupation; and

8 3. The person satisfies paragraphs 6 through 9 of subsection A
9 of Section 2 of this act.

10 SECTION 4. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 4150.3 of Title 59, unless there
12 is created a duplication in numbering, reads as follows:

13 Recognition of private certification in other states.

14 Notwithstanding any other law, the regulating entity shall issue
15 an occupational license or government certification to a person upon
16 application based on holding a private certification and work
17 experience in another state, provided the person offers proof of
18 physical residency in this state, if all the following apply:

19 1. The person holds a private certification and worked in a
20 state that does not use an occupational license or government
21 certification to regulate a lawful occupation, but this state uses
22 an occupational license or government certification to regulate a
23 lawful occupation with a similar scope of practice, as determined by
24 the regulating entity;

1 2. The person worked at least one (1) year in the lawful
2 occupation;

3 3. The person holds a current and valid private certification
4 in the lawful occupation;

5 4. The private certification organization recognizes the person
6 to be in good standing; and

7 5. The person satisfies paragraphs 6 through 9 of subsection A
8 of Section 2 of this act.

9 SECTION 5. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 4150.4 of Title 59, unless there
11 is created a duplication in numbering, reads as follows:

12 All state occupational or professional licenses shall be
13 reviewed not less than once every four (4) years to determine if the
14 license is necessary and if necessary, uses the least restrictive
15 regulation to protect consumers from present, significant and
16 substantiated harms that threaten public health and safety. Review
17 of occupational or professional licenses shall be conducted by the
18 regulating entity and shall answer the following questions:

19 1. Is there a compelling public interest that needs to be
20 protected;

21 2. Is the least restrictive means that would sufficiently
22 protect the public interest being used;

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1 3. If occupational licensing is used, does the regulating
2 entity in charge of such licensure have a controlling number of
3 regulating entity members as market participants; and

4 4. Is there active supervision of the regulating entity's
5 actions by the state.

6 SECTION 6. This act shall become effective November 1, 2020.

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8 DIRECT TO CALENDAR.

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