

SENATE BILL 255

By Green

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, Part 13; Title 49, Chapter 7; Title 49, Chapter 8; Title 49, Chapter 9; Title 62; Title 63 and Title 68, Chapter 1, relative to boards and commissions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-1-101(b)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(b)

(1) Notwithstanding any other law to the contrary, each health related board shall establish a procedure to expedite the issuance of a license, certification or permit to perform professional services regulated by each such board to a person:

(A)

(i) Who is certified or licensed in another state to perform professional services in a state other than Tennessee;

(ii) Whose spouse is a member of the armed forces of the United States;

(iii) Whose spouse is the subject of a military transfer to this state; and

(iv) Who left employment to accompany the person's spouse to this state; or

(B)

(i) Who is certified or licensed in another state to perform professional services in a state other than Tennessee;

(ii) Who performed professional services as a member of the armed forces of the United States;

(iii) Who:

(a) Retired from the armed forces of the United States;

(b) Received an honorable discharge from the armed forces of the United States; or

(c) Is released from active duty into a reserve component of the armed forces of the United States; and

(iv) Who, upon meeting the status criteria of subdivision (b)(1)(B)(iii):

(a) Remains in this state; or

(b) Moves to this state within thirty (30) days.

SECTION 2. Tennessee Code Annotated, Section 4-3-1304(d)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(d)

(1) Notwithstanding any other law to the contrary, each board attached to the division of regulatory boards shall establish a procedure to expedite the issuance of a license, certification or permit to perform services regulated by each such board to a person:

(A)

(i) Who is certified or licensed in another state to perform services in a state other than Tennessee;

(ii) Whose spouse is a member of the armed forces of the United States;

(iii) Whose spouse is the subject of a military transfer to this state; and

(iv) Who left employment to accompany the person's spouse to this state; or

(B)

(i) Who is certified or licensed in another state to perform services in a state other than Tennessee;

(ii) Who performed substantially similar services as a member of the armed forces of the United States;

(iii) Who:

(a) Retired from the armed forces of the United States;

(b) Received an honorable discharge from the armed forces of the United States; or

(c) Is released from active duty into a reserve component of the armed forces of the United States; and

(iv) Who, upon meeting the status criteria of subdivision

(d)(1)(B)(iii):

(a) Remains in this state; or

(b) Moves to this state within thirty (30) days.

SECTION 3. Tennessee Code Annotated, Section 68-1-101, is amended by adding the following as a new subsection:

(c) The commissioner and each health related board shall, upon application for certification or licensure, accept military education, training or experience completed by a person described in subdivision (b)(1)(B)(iii) toward the qualifications to receive the license or certification if such education, training or experience is determined by the commissioner or board to be substantially equivalent to the standards of this state.

SECTION 4. Tennessee Code Annotated, Section 4-3-1304, is amended by adding the following as a new subsection:

(e) The commissioner and each regulatory board shall, upon application for certification or licensure, accept military education, training or experience completed by a person described in subdivision (d)(1)(B)(iii) toward the qualifications to receive the license or certification if such education, training or experience is determined by the commissioner or board to be substantially equivalent to the standards of this state.

SECTION 5. Tennessee Code Annotated, Section 68-1-101, is amended by adding the following as a new subsection:

(d)

(1) Notwithstanding any other law to the contrary, any member of the national guard or a reserve component of the armed forces of the United States called to active duty, and who, at the time of activation, was duly licensed or certified to perform professional services by a health related board of this state, shall be kept in good standing by the board during the period of activation.

(2) A license, certification or permit issued by a health related board of this state for a person described in subdivision (d)(1) shall be temporarily renewed pursuant to subdivision (d)(3) without:

(A) Payment of dues or fees;

(B) Obtaining continuing education credits when:

(i) Circumstances associated with the person's military duty prevent the obtaining of continuing education credits and a waiver request has been submitted to the appropriate health related board; or

(ii) The person performs the licensed or certified occupation as part of such person's military duties and provides documentation to the appropriate health related board; or

(C) Performing any other act typically required for the renewal of the license or certification.

(3) The license, certification or permit issued under this subsection (d) shall be continued or renewed while the person described in subdivision (d)(1) is on active duty until no later than six (6) months from the person's release from active duty.

SECTION 6. Tennessee Code Annotated, Section 4-3-1304, is amended by adding the following as a new subsection:

(f)

(1) Notwithstanding any other law to the contrary, any member of the national guard or a reserve component of the armed forces of the United States called to active duty, and who, at the time of activation, was duly licensed or certified to perform services regulated by a board attached to the division of regulatory boards, shall be kept in good standing by the board during the period of activation.

(2) A license, certification or permit issued by a regulatory board of this state for a person described in subdivision (f)(1) shall be temporarily renewed pursuant to subdivision (f)(3) without:

(A) Payment of dues or fees;

(B) Obtaining continuing education credits when:

(i) Circumstances associated with the person's military duty prevent the obtaining of continuing education credits and a

waiver request has been submitted to the appropriate regulatory board; or

(ii) The person performs the licensed or certified occupation as part of such person's military duties and provides documentation to the appropriate regulatory board; or

(C) Performing any other act typically required for the renewal of the license or certification.

(3) The license, certification or permit issued under this subsection (f) shall be continued or renewed while the person described in subdivision (f)(1) is on active duty until no later than six (6) months from the person's release from active duty.

SECTION 7. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding a new section thereto, as follows:

49-7-156. The board of trustees of the University of Tennessee system and the board of regents shall adopt a policy requiring each postsecondary institution that offers courses of instruction leading to a certificate, diploma or degree and operated by either board to perform a prior learning assessment and award academic credit for military education, experience and training based on the assessment. The award of academic credit shall also be based upon the standards of an appropriate accrediting authority and each postsecondary institution's admission standards and mission.

SECTION 8. Each entity subject to this act shall promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5. Notwithstanding § 4-5-208, each entity subject to this act is authorized to promulgate emergency rules to implement this act.

SECTION 9. For the purpose of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes it shall take effect July 1, 2013, the public welfare requiring it.