

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 75

Representatives Gavarone, Merrin

**Cosponsors: Representatives Goodman, Koehler, Riedel, Wiggam, Seitz, Faber,
Miller, Blessing, Sprague, McColley, Young, Schaffer, Bocchieri**

A BILL

To amend sections 5903.01, 5903.03, and 5903.04 of 1
the Revised Code to establish an expedited 2
process to grant a professional license to an 3
individual who is on active duty as a member of 4
the armed forces of the United States, or is the 5
spouse of such an individual, and holds a valid 6
license in another state. 7

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

Section 1. That sections 5903.01, 5903.03, and 5903.04 of 8
the Revised Code be amended to read as follows: 9

Sec. 5903.01. As used in this chapter: 10

"Armed forces" means the armed forces of the United 11
States, including the army, navy, air force, marine corps, coast 12
guard, or any reserve components of those forces; the national 13
guard of any state; the commissioned corps of the United States 14
public health service; the merchant marine service during 15
wartime; such other service as may be designated by congress; or 16
the Ohio organized militia when engaged in full-time national 17

guard duty for a period of more than thirty days. 18

"License" means a license, certificate, permit, or other 19
authorization issued or conferred by a licensing agency under 20
which a licensee may engage in a profession, occupation, or 21
occupational activity. 22

"License by endorsement" means a temporary license issued 23
by a licensing agency in accordance with division (E) of section 24
5309.03 of the Revised Code that permits the license holder to 25
engage in a licensable profession in this state for a period of 26
not more than twelve months without prior examination or other 27
similar requirement. 28

"Licensee" means a person to whom all of the following 29
apply: 30

(A) The person has been issued a license by a licensing 31
agency. 32

(B) The person has been a member of the armed forces. 33

(C) The person has served on active duty, whether inside 34
or outside the United States, for a period in excess of thirty- 35
one days. 36

"Licensing agency" means any state department, division, 37
board, commission, agency, or other state governmental unit 38
authorized by the Revised Code to issue a license. 39

"Service member" means any person who is serving in the 40
armed forces. 41

"Merchant marine" includes the United States army 42
transport service and the United States naval transport service. 43

"Veteran" means any person who has completed service in 44

the armed forces, including the national guard of any state, or 45
a reserve component of the armed forces, who has been discharged 46
under honorable conditions from the armed forces or who has been 47
transferred to the reserve with evidence of satisfactory 48
service. 49

Sec. 5903.03. (A) ~~As used in this section, "military-~~ 50
~~program of training" means a training program of the armed-~~ 51
~~forces.~~ 52

~~(B)~~ (1) Notwithstanding any provision of the Revised Code 53
to the contrary, a licensing agency shall ~~consider an applicant-~~ 54
~~for grant a license in accordance with divisions (D) and (E) of~~ 55
this section to an individual who holds a comparable license in 56
another state if either of the following are true: 57

~~(1) To have met the educational requirement for that~~ 58
~~license if the applicant has completed a military program of-~~ 59
~~training and has been awarded a military primary specialty at a~~ 60
~~level that is substantially equivalent to or exceeds the~~ 61
~~educational requirement for that license; and~~ 62

~~(2) To have met the experience requirement for that~~ 63
~~license if~~ (a) The individual is on active duty as a member of 64
the armed forces at the time of application. 65

(b) The individual is the applicant has served in that- 66
military primary specialty under honorable conditions for a 67
period ~~spouse~~ of time that is substantially equivalent to or 68
exceeds the experience requirement for that license an individual 69
described in division (A) (1) (a) of this section. 70

(2) Except as otherwise provided in division (E) of this 71
section for a license by endorsement, beginning on the date of 72
issue of the license, the license holder may engage in the 73

licensable profession in this state without prior examination or 74
other similar requirement. 75

(B) Before issuing a license under this section, the 76
licensing agency shall do all of the following: 77

(1) Verify that the applicant is otherwise eligible for 78
the applicable license under Title XLVII of the Revised Code and 79
rules adopted under that title, including any required 80
background checks; 81

~~(C)~~ (2) Make a determination that the requirements to 82
obtain the license in the other state are one of the following: 83

(a) Substantially equivalent to or more stringent than the 84
requirements to obtain the applicable license under Title XLVII 85
of the Revised Code and rules adopted under that title; 86

(b) Less stringent than the requirements to obtain the 87
applicable license under Title XLVII of the Revised Code and 88
rules adopted under that title. 89

(3) Require the applicant to pay the license fee 90
prescribed for the applicable license under Title XLVII of the 91
Revised Code or rules adopted under that title. 92

(C) The licensing agency shall complete the verification 93
required by division (B) (1) of this section and make the 94
determination required by division (B) (2) of this section not 95
later than thirty days after the date the agency receives the 96
application. 97

(D) If, in the determination made under division (B) (2) of 98
this section, the licensing agency finds that the requirements 99
for licensure under the laws or regulations of the other state 100
are substantially equivalent to or more stringent than the 101

requirements for the applicable license under Title XLVII of the 102
Revised Code and the corresponding rules, the agency shall issue 103
to the individual the applicable license under Title XLVII of 104
the Revised Code and the individual shall be considered a 105
licensee for the purposes of this chapter. 106

(E) If, in the determination made under division (B)(2) of 107
this section, the licensing agency finds that the requirements 108
for licensure under the laws or regulations of the other state 109
are less stringent than the requirements under Title XLVII of 110
the Revised Code and the corresponding rules, the licensing 111
agency shall issue to the individual a license by endorsement 112
that is valid for a period of twelve months beginning on the 113
date of issue of the license. An individual holding a license by 114
endorsement is not a licensee for the purposes of this chapter. 115

(1) A license by endorsement expires on the first day 116
occurring after a twelve-month period beginning on the date of 117
issue of the license. 118

(2) No individual holding a license by endorsement under 119
this section may engage in professional activities outside of 120
the scope of the professional activities permitted under the 121
individual's license in the other state. 122

(3) The licensing agency shall provide to the individual 123
named in the license by endorsement written notification that 124
the individual must meet the requirements for the applicable 125
license under Title XLVII of the Revised Code and the 126
corresponding rules not later than twelve months after the 127
license's date of issue, or the license by endorsement will 128
expire and the individual will no longer be permitted to engage 129
in the licensable profession in this state. The notification 130
shall be in writing and shall be provided to the individual at 131

the same time as the license by endorsement. 132

(4) If the individual meets the requirements described in 133
division (E) (3) of this section within the twelve-month period, 134
the licensing agency shall issue to the individual the 135
applicable license under Title XLVII of the Revised Code and the 136
corresponding rules. During this twelve-month period, the 137
individual is not additionally subject to the continuing 138
education requirements described in sections 5903.12 and 139
5903.121 of the Revised Code. 140

(F) Except as provided for licenses by endorsement in 141
division (E) of this section and subject to section 5903.10 of 142
the Revised Code, an individual holding a license issued under 143
this section shall comply with the renewal procedures 144
established under Title XLVII of the Revised Code and rules 145
adopted under that title for the applicable license. 146

(G) A license issued to an individual described in 147
division (A) (2) of this section is not invalidated by the death 148
of or divorce from the member of the armed forces. 149

(H) This section does not apply to attorneys licensed by 150
the Ohio supreme court. 151

(I) Each licensing agency except the Ohio supreme court, 152
not later than ~~June 30~~ January 1, 2014~~2018~~, shall adopt rules 153
under Chapter 119. of the Revised Code ~~regarding which military~~ 154
~~programs of training, military primary specialties, and lengths~~ 155
~~of service are substantially equivalent as necessary to or~~ 156
~~exceed~~ implement the educational and experience requirements for 157
each license that agency issuesprovisions of this section. 158

Sec. 5903.04. Each licensing agency shall adopt rules 159
under Chapter 119. of the Revised Code to establish and 160

implement all of the following: 161

(A) A process to obtain from each applicant documentation 162
and additional information necessary to determine if the 163
applicant is ~~a service member or veteran, or the spouse or~~ 164
~~surviving spouse of a service member or veteran~~eligible for a 165
license under section 5903.03 of the Revised Code; 166

(B) A process to record, track, and monitor applications 167
that have been received ~~from a service member, veteran, or the~~ 168
~~spouse or surviving spouse of a service member or veteran~~under 169
section 5903.03 of the Revised Code;~~and~~ 170

(C) A process to prioritize and expedite certification or 171
licensing pursuant to section 5903.10 of the Revised Code and 172
for each applicant who is eligible for a ~~service member,~~ 173
~~veteran, or the spouse or a surviving spouse of a service member~~ 174
~~or veteran~~license under section 5903.03 of the Revised Code. 175

In establishing these processes, the licensing agency 176
shall include any special accommodations that may be appropriate 177
for applicants facing imminent deployment. 178

Section 2. That existing sections 5903.01, 5903.03, and 179
5903.04 of the Revised Code are hereby repealed. 180