

GREEN SHEET REDIGEST

HB 716

2024 Regular Session

Owen

**LICENSING: Provides for universal recognition of occupational licenses.**

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DIGEST

Proposed law provides definitions for "board", "occupational license", "other state" or "another state", and "scope of practice".

Proposed law provides that notwithstanding any other law, a board shall issue an occupational license or certification to a person upon application, if all the following apply:

- (1) The applicant holds a current and valid occupational license or certification in another state in a lawful occupation with a similar scope of practice, as determined by the board in this state.
- (2) The applicant has held the occupational license or certification in the other state for at least one year.
- (3) The other state required the applicant to pass an examination, or to meet education, training, or experience standards.
- (4) The other state holds the applicant in good standing.
- (5) The applicant does not have a disqualifying criminal record as determined by the board in this state under state law.
- (6) The applicant does not have a disciplinary action or investigation pending in another state. If the applicant has a disciplinary action or investigation pending, the board in this state shall not issue or deny an occupational license or certification to the person until the disciplinary action or investigation is resolved or the person otherwise meets the criteria for an occupational license or certification in this state to the satisfaction of the board in this state.
- (7) The applicant pays all applicable fees in this state.
- (8) The applicant lives in this state and provides proof of residency.

Proposed law provides that if another state issued the applicant a certification, but this state requires an occupational license to work, the board in this state shall issue an occupational license to the applicant if the applicant otherwise satisfies proposed law.

Proposed law provides that notwithstanding any provision of present law to the contrary, the La. State Board of Medical Examiners and the La. Board of Veterinary Medicine shall issue a conditional license or certification, pending normal licensure, to an applicant who otherwise satisfies proposed law.

Proposed law provides that the La. State Board of Dentistry may require an applicant for dental licensure to successfully complete an initial clinical licensure examination in a jurisdiction that includes a hand skills assessment.

Proposed law provides that a license issued under proposed law may contain the statement: "licensed by Endorsement, R.S. 37:51 et seq."

Proposed law provides for the methods for which an applicant can prove residency in this state.

Proposed law provides that a board may require an applicant to pass a jurisprudential examination specific to relevant state laws that regulate the occupation.

Proposed law provides that the Horticulture Commission may require applicants to pass all or part of an examination as may be necessary to demonstrate competence regarding Louisiana-specific flora and Louisiana-specific environmental issues.

Proposed law provides that a board shall provide an applicant with a written decision regarding his application within 60 days after receiving a complete application.

Proposed law provides that an applicant may appeal a board's decision to a court of general jurisdiction. An applicant may appeal any of the following:

- (1) The board's denial of an occupational license or certification.
- (2) The board's determination of the occupation or certification.
- (3) The board's determination of the similarity of the scope of practice of the occupational license or certification issued.

Proposed law provides that a person who obtains an occupational license or certification pursuant to proposed law is subject to the laws regulating the occupation in this state and the jurisdiction of the board in this state.

Proposed law does not apply to an occupation regulated by the state supreme court and a peace officer defined by present law.

Proposed law provides that nothing in proposed law shall be construed to prohibit a person from applying for an occupational license or certification under another statute or rule in state law.

Proposed law provides that an occupational license or certification issued pursuant to proposed law is valid only in this state. It does not make the person eligible to work in another state under an interstate compact or reciprocity agreement unless otherwise provided in law.

Proposed law provides that nothing in proposed law shall be construed to prevent this state from entering into a licensing compact, professional national mobility agreement, or reciprocity agreement with another state, foreign province, foreign country, international organization, or other entity. Further provides that a person may apply for licensure under present law or may apply for licensure pursuant to the terms of the applicable licensing compact, professional national mobility agreement, or reciprocity agreement.

Proposed law shall not be construed to prevent this state from recognizing occupational credentials issued by a private certification organization, foreign province, foreign country, international organization, or other entity.

Proposed law shall not be construed to require a private certification organization to grant or deny private certification to any individual.

Effective August 1, 2024.

(Adds R.S. 37:51-59)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.
2. Require an applicant to prove residency in this state.
3. Provide what qualifies as proof of residency.

4. Add that nothing in proposed law shall prevent this state from entering into a professional national mobility agreement.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the engrossed bill

1. Require the La. State Board of Medical Examiners and the La. Board of Veterinary Medicine to issue a conditional license or certification, pending normal licensure, to an applicant who otherwise satisfies proposed law.
2. Provide that the La. State Board of Dentistry may require an applicant for dental licensure to successfully complete an initial clinical licensure examination in a jurisdiction that includes a hand skills assessment.
3. Allow a board to issue an occupational license pursuant to proposed law to contain the statement: "Licensed by Endorsement, R.S. 37:51 et seq."
4. Provide that the Horticulture Commission may require applicants to pass all or part of an examination as may be necessary to demonstrate competence regarding Louisiana-specific flora and Louisiana-specific environmental issues.
5. Provide relative to licensure pursuant to licensing compacts, professional national mobility agreements, or reciprocity agreements.
6. Make technical changes.