

2024 Regular Session

HOUSE BILL NO. 716

BY REPRESENTATIVE OWEN

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AN ACT

To enact Chapter 1-E of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:51 through 59, relative to universal occupational license recognition; to provide for definitions; to provide for conditions for application; to provide for occupational licensing requirements; to provide for conditional license or certification by the Louisiana State Board of Medical Examiners and the Louisiana Board of Veterinary Medicine; to provide for dental licensure; to require proof of residency; to provide for jurisprudential examination; to provide for an examination by the Horticultural Commission of Louisiana; to provide for board decisions on applications; to provide for appeals of a board decision on applications; to provide for state law and jurisdiction; to provide for exemptions; to provide for limitations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 1-E of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:51 through 59, is hereby enacted to read as follows:

CHAPTER 1-E. WELCOME HOME ACT

§51. Definitions

The words defined in this Section have the meanings given them for purposes of this Chapter unless the context clearly requires otherwise.

(1) "Board" means any state executive branch board, commission, department, or other agency that regulates the entry of persons into a particular profession or occupation or that is authorized to issue or revoke occupational licenses or certifications.

1 (2) "Occupational license" means a nontransferable authorization issued by
2 a state to an individual to legally practice or engage in a regulated profession or
3 occupation.

4 (3) "Other state" or "another state" means any United States territory or state
5 in the United States other than this state.

6 (4) "Scope of practice" means the procedures, actions, processes, and work
7 that a person may perform pursuant to an occupational license or certification issued
8 in this state.

9 §52. Occupational license or certification

10 A. Notwithstanding any other law, a board shall issue an occupational
11 license or certification to a person upon application, if all the following apply:

12 (1) The applicant holds a current and valid occupational license or
13 certification in another state in a lawful occupation with a similar scope of practice,
14 as determined by the board in this state.

15 (2) The applicant has held the occupational license or certification in the
16 other state for at least one year.

17 (3) The other state required the applicant to pass an examination, or to meet
18 education, training, or experience standards.

19 (4) The other state holds the applicant in good standing.

20 (5) The applicant does not have a disqualifying criminal record as
21 determined by the board in this state under state law.

22 (6) The applicant does not have a disciplinary action or investigation pending
23 in another state. If the applicant has a disciplinary action or investigation pending,
24 the board in this state shall not issue or deny an occupational license or certification
25 to the person until the disciplinary action or investigation is resolved or the person
26 otherwise meets the criteria for an occupational license or certification in this state
27 to the satisfaction of the board in this state.

28 (7) The applicant pays all applicable fees in this state.

29 (8) The applicant lives in this state and provides proof of residency as
30 outlined in R.S. 37:53.

1 B. If another state issued the applicant a certification, but this state requires
 2 an occupational license to work, the board in this state shall issue an occupational
 3 license to the applicant if the applicant otherwise satisfies Subsection A of this
 4 Section.

5 C. Notwithstanding any other provision of law to the contrary, the Louisiana
 6 State Board of Medical Examiners and the Louisiana Board of Veterinary Medicine
 7 shall issue a conditional license or certification, pending normal licensure, to an
 8 applicant who otherwise satisfies Subsection A of this Section.

9 D. In addition to the requirements of Subsection A of this Section, the
 10 Louisiana State Board of Dentistry may require that an applicant for dental licensure
 11 has successfully completed an initial clinical licensure examination in a jurisdiction
 12 that included a hand skills assessment.

13 E. A license issued pursuant to this Chapter may contain the following
 14 statement: "Licensed by Endorsement, R.S. 37:51 et seq."

15 §53. Residency

16 For purposes of this Chapter, residency may be established by producing
 17 proof of one of the following:

18 (1) A current state-issued identification card.

19 (2) A state-issued voter registration card.

20 (3) Documentation of current in-state employment or notarized letter of
 21 promise of employment of the applicant or his spouse. If an applicant uses this
 22 method to obtain licensure, a board shall require another form of proof of residency
 23 listed in this Section, six months after licensure is granted.

24 (4) A current homestead exemption for this state.

25 §54. Examination

26 A. A board may require an applicant to pass a jurisprudential examination
 27 specific to relevant state laws that regulate the occupation if an occupational license
 28 or certification in this state requires an applicant to pass a jurisprudential
 29 examination specific to relevant state statutes and administrative rules that regulate
 30 the occupation or certification.

1 B. If the Horticulture Commission of Louisiana administers an examination
 2 as part of the licensure process, it may require applicants to take and pass all or part
 3 of the examination as may be necessary to demonstrate competence regarding
 4 Louisiana specific flora or Louisiana specific environmental issues.

5 C. If an examination is required for licensure or certification pursuant to the
 6 Louisiana Pesticide Law, R.S. 3:3201 et seq, applicants may be required to take and
 7 pass all or part of the examination as may be necessary to demonstrate competence
 8 regarding Louisiana specific flora, fauna, or environmental issues.

9 §55. Decision

10 A board shall provide an applicant with a written decision regarding his
 11 application within sixty days after receiving a complete application.

12 §56. Appeal

13 A. An applicant may appeal a board's decision to a court of general
 14 jurisdiction.

15 B. An applicant may appeal any of the following:

16 (1) The board's denial of an occupational license or certification.

17 (2) The board's determination of the occupation or certification.

18 (3) The board's determination of the similarity of the scope of practice of the
 19 occupational license or certification issued.

20 §57. State laws and jurisdiction

21 A person who obtains an occupational license or certification pursuant to this
 22 Chapter is subject to all of the following:

23 (1) The laws regulating the occupation in this state.

24 (2) The jurisdiction of the board in this state.

25 §58. Exceptions

26 A. This Chapter does not apply to an occupation regulated by the state
 27 supreme court.

28 B. This Chapter shall not apply to peace officers as defined in R.S. 40:2402.

29 C. This Chapter does not apply to water and wastewater operator licenses.

1 §59. Limitations

2 A. Nothing in this Chapter shall be construed to prohibit a person from
3 applying for an occupational license or certification under another statute or rule in
4 state law.

5 B. An occupational license or certification issued pursuant to this Chapter
6 is valid only in this state. It does not make the person eligible to work in another
7 state under an interstate compact or reciprocity agreement unless otherwise provided
8 in law.

9 C. Nothing in this Chapter shall be construed to prevent this state from
10 entering into a licensing compact, professional national mobility agreement, or
11 reciprocity agreement with another state, foreign province, foreign country,
12 international organization, or other entity. A person may apply for licensure in
13 accordance with the provisions of this Chapter or may apply for licensure pursuant
14 to the terms of the applicable licensing compact, professional national mobility
15 agreement, or reciprocity agreement.

16 D. Nothing in this Chapter shall be construed to prevent this state from
17 recognizing occupational credentials issued by a private certification organization,
18 foreign province, foreign country, international organization, or other entity.

19 E. Nothing in this Chapter shall be construed to require a private certification
20 organization to grant or deny private certification to any individual.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____