
 DIGEST

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SB 483 Reengrossed

2022 Regular Session

Cathey

Proposed law defines "lawful occupation", "military", "occupational license", "other state", "person", "private certification", "professional or occupational licensing board", and "scope of practice".

Proposed law provides that the professional or occupational licensing board (board) shall issue an occupational license if all of the following apply:

- (1) The person holds a current and valid occupational license in another state in a lawful occupation with a similar scope of practice, as determined by the board.
- (2) The person has held the occupational license in the other state for at least one year.
- (3) The board in the other state required the person pass an examination or to meet education, training, or experience standards.
- (4) The board in the other state holds the person in good standing.
- (5) The person does not have a disqualifying criminal record as determined by the board under state law.
- (6) No board in another state has revoked the person's occupational license because of negligence or intentional misconduct related to the person's work in the occupation.
- (7) The person did not surrender his occupational license because of negligence or intentional misconduct related to his work in the occupation in another state.
- (8) The person does not have a complaint, allegation, or investigation pending before a board in another state which relates to unprofessional conduct or an alleged crime. The professional or occupational licensing board may require, when applicable, the applicant to furnish a signed affidavit or notarized letter from the out of state board or certifying agency of the relevant jurisdiction confirming the applicant is in good standing.
- (9) The person pays all applicable fees in this state including any board required background checks.

Proposed law provides that the board shall issue an occupational license to a person based on work experience in another state if all of the following apply:

- (1) The person worked in a state that does not use an occupational license to regulate a lawful occupation, but this state uses an occupational license to regulate a lawful occupation with a similar scope of practice, as determined by the board.
- (2) The person worked for at least three years in the lawful occupation.
- (3) The person satisfies all requirements under proposed law.

Proposed law provides that the board shall issue an occupational license to a person based on holding a private certification and work experience in another state if all of the following apply:

- (1) The person holds a private certification and worked in a state that does not use an occupational license to regulate a lawful occupation, but this state uses an

occupational license to regulate a lawful occupation with a similar scope of practice, as determined by the board.

- (2) The person worked for at least two years in the lawful occupation.
- (3) The person holds a current and valid private certification in the lawful occupation.
- (4) The private certification organization holds the person in good standing.
- (5) The person satisfies all requirements under proposed law.

Proposed law provides that the board may require a person to pass an examination specific to the occupation if the license issued in this state requires an examination.

Proposed law provides that a person who obtains an occupational licence is subject to all laws regulating the occupation and jurisdiction of this state.

Proposed law provides for exceptions.

Proposed law provides for the following limitations:

- (1) Nothing in proposed law shall prohibit a person from applying for an occupational license under another statute or rule in state law.
- (2) An occupational license issued pursuant to proposed law is valid only in Louisiana. It does not make the person eligible to work in another state under an interstate compact or reciprocity agreement unless otherwise provided in law.
- (3) Nothing in proposed law shall prevent Louisiana from entering into a licensing compact or reciprocity agreement with another state, foreign province, foreign country, international organization, or other entity.
- (4) Nothing in proposed law shall prevent Louisiana from recognizing occupational credentials issued by a private certification organization, foreign province, foreign country, international organization, or other entity.
- (5) Nothing in proposed law shall require a private certification organization to grant or deny private certification to any individual.

Proposed law provides that the board will provide the person with a written decision regarding the application within 45 days of receiving a completed application.

Proposed law excludes the Louisiana State Board of Medical Examiners, the State Board of Certified Public Accountants of Louisiana, the State Board of Architectural Examiners, the Louisiana Real Estate Commission, the State Board of Veterinary Medicine Examiners, the Louisiana Professional Engineering and Land Surveying Board, the Louisiana State Board of Dentistry, and the Louisiana State Board of Nursing.

Effective upon signature of the governor or lapse of time for gubernatorial action.

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

Summary of Amendments Adopted by Senate

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

1. Makes technical changes.
2. Defines "person".

3. Removes the definition of government certification from proposed law and makes conforming changes throughout proposed law.
4. Provides that the board may require a signed affidavit from an out-of-state board or agency that confirms the applicant is in good standing in order to receive a license in Louisiana.
5. Excludes from proposed law the Louisiana State Board of Medical Examiners, the State Board of Certified Public Accountants of Louisiana, the State Board of Architectural Examiners, the Louisiana Real Estate Commission, the State Board of Veterinary Medicine Examiners, the Louisiana Professional Engineering and Land Surveying Board, the Louisiana State Board of Dentistry, and the State Board of Nursing.

Senate Floor Amendments to engrossed bill

1. Adds documentation of in-state employment and notarized letter of promise of employment signed by applicant or spouse to list of allowable proof-of-residency documentation.
2. Makes technical change.

Summary of Amendments Adopted by House

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

1. Make technical changes.