

IN THE SENATE

SENATE BILL NO. 1083

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO LICENSURE BY ENDORSEMENT; AMENDING SECTION 67-9306, IDAHO CODE,
2 AS ENACTED BY SECTION 1, CHAPTER 296, LAWS OF 2019, TO REVISE PROVISIONS
3 REGARDING LICENSURE BY ENDORSEMENT FOR MILITARY MEMBERS, VETERANS, AND
4 SPOUSES.
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 67-9306, Idaho Code, as enacted by Section 1,
8 Chapter 296, Laws of 2019, be, and the same is hereby amended to read as fol-
9 lows:

10 67-9306. LICENSURE BY ENDORSEMENT -- MEMBERS OF THE MILITARY, VETER-
11 ANS, AND SPOUSES. (1) A licensing authority shall establish a procedure ~~for~~
12 ~~the issuance of to grant~~ licensure by endorsement to a member of the mili-
13 tary, a former member of the military after discharge under honorable condi-
14 tions, a veteran, or a spouse of any such person, ~~if such person who~~ possesses
15 current, valid, and unrestricted licensure in another state, district, or
16 territory of the United States, or in any branch of the armed forces or the
17 national guard. Such procedure is intended to provide licensure by endorse-
18 ment to qualifying persons within fifteen (15) business days after such per-
19 son applies for licensure under this section, provided that the applicant is
20 able to validate his qualifications pursuant to subsection (2) of this sec-
21 tion within such time frame. Each licensing authority shall may promulgate
22 applicable rules to implement the provisions of this subsection, if neces-
23 sary.

24 (2) ~~Subsection (1) of this section shall not apply to a person who is a~~
25 ~~member of a profession or occupation covered by an interstate licensure com-~~
26 ~~compact that the person's home state and Idaho have each adopted. In such a sit-~~
27 ~~uation, a person shall apply for licensure pursuant to the terms of the ap-~~
28 ~~plicable licensure compact rather than through licensure by endorsement. A~~
29 ~~person from a state that has not adopted an interstate licensure compact that~~
30 ~~Idaho has adopted is eligible for licensure by endorsement, provided that~~
31 ~~such person is otherwise eligible for licensure by endorsement under this~~
32 ~~section; however, such licensure shall be valid only in Idaho. A licensing~~
33 ~~authority for a profession or occupation affected by an interstate licensure~~
34 ~~compact that Idaho has adopted shall promulgate applicable rules to imple-~~
35 ~~ment the provisions of this subsection. Each applicant for licensure by en-~~
36 ~~dorsement under this section must apply to the applicable licensing author-~~
37 ~~ity for relevant licensure to validate:~~

38 (a) The applicant's status as a member of the military, a former member
39 of the military after discharge under honorable conditions, a veteran,
40 or a spouse of any such person; and

1 (b) The applicant's current, valid, and unrestricted licensure in
2 another state, district, or territory of the United States, or in any
3 branch of the armed forces or the national guard.

4 (3) An applicant for licensure by endorsement pursuant to this section
5 must disclose all current, pending, or subsequent disciplinary proceed-
6 ings related to the applicant's licensure in another state, district, or
7 territory of the United States, or in any branch of the armed forces or the
8 national guard. A licensing authority has discretion regarding whether
9 to withhold, revoke, or place conditions on an applicant's licensure by
10 endorsement related to such disciplinary proceeding and any information
11 obtained by the licensing authority related to such proceedings. An ap-
12 plicant's failure to disclose a current, pending, or future disciplinary
13 proceeding pursuant to this subsection is grounds for a licensing authority
14 to withhold, revoke, or place conditions on licensure by endorsement pur-
15 suant to this section.

16 (4) With respect to an applicant under this section, each licensing au-
17 thority must implement a condensed military application form to verify the
18 requirements of subsection (2) of this section. A condensed application may
19 not request additional information unless such information is deemed criti-
20 cal by the applicable licensing authority to verify the applicant's qualifi-
21 cation for an Idaho-specific aspect of practice or to determine the applica-
22 ble scope of practice pursuant to subsection (5) of this section. As part of
23 a condensed military application, a licensing authority may not require:

24 (a) The taking of all or a portion of an examination, even if such exami-
25 nation is required of other applicants for the same type of licensure in
26 Idaho; or

27 (b) The payment of an application fee.

28 (5) With respect to applicants for licensure by endorsement under this
29 section, a licensing authority may, at its discretion, compare the autho-
30 rized scope of practice in the applicable jurisdiction, or jurisdictions,
31 where the applicant currently holds licensure to the authorized scope of
32 practice in Idaho. If such licensing authority determines that the au-
33 thorized scope of practice in Idaho is broader than the scope of practice
34 authorized in the jurisdiction, or jurisdictions, where the applicant cur-
35 rently holds licensure, such licensing authority may issue a limited license
36 to such applicant pending completion of the additional education, training,
37 or any other requirements determined necessary by the licensing authority.
38 A limited license issued under this section must restrict the applicant's
39 practice in Idaho to the scope of practice authorized in the state where the
40 applicant holds prior licensure until such time that the applicant satisfies
41 the education, training, or other requirements deemed necessary by the li-
42 censing authority for a limited period of time necessary for an applicant to
43 meet the qualifications for a full license. Notwithstanding the provisions
44 of subsection (4) of this section, a licensing authority may administer an
45 examination or partial examination to an applicant pursuant to this sub-
46 section for the purpose of ascertaining whether an applicant possesses
47 the requisite qualifications for a full license. Such examination must be
48 narrowly tailored to the additional knowledge or skills required for the
49 applicant to prove that he is qualified for a full license.

1 (6) This section does not restrict a person who is a member of a profes-
2 sion or occupation covered by an applicable interstate licensure compact or
3 applicable reciprocity agreement from seeking licensure by endorsement pur-
4 suant to this section. In such a situation, a person may apply for licensure
5 by endorsement under this section or may apply for licensure pursuant to the
6 terms of the applicable licensure compact or reciprocity agreement.

7 (7) An applicant under this section is subject to the laws regulating
8 the person's practice in Idaho and is subject to the applicable licensing au-
9 thority's jurisdiction. For purposes of this section, the term "licensure"
10 means a license, certificate, registration, permit, or other authorization
11 to practice a profession or occupation.