

Senate File 2114 - Introduced

SENATE FILE 2114

BY BROWN

A BILL FOR

1 An Act relating to the granting of professional licenses,
2 certificates, and registrations to persons licensed in other
3 states.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 272C.4, subsection 13, Code 2020, is
2 amended by striking the subsection.

3 Sec. 2. NEW SECTION. **272C.12 Licensure of persons licensed**
4 **in other jurisdictions.**

5 1. Notwithstanding any other provision of law, an
6 occupational or professional license, certificate, or
7 registration shall be issued without an examination to a person
8 who establishes residency in this state or to a person who is
9 married to an active duty member of the military forces of the
10 United States and who is accompanying the member on an official
11 permanent change of station to a military installation located
12 in this state if all of the following conditions are met:

13 a. The person is currently licensed, certified, or
14 registered in at least one other state in the occupation or
15 profession applied for in the same practice and the license,
16 certificate, or registration is in good standing in all
17 states in which the person holds a license, certificate, or
18 registration.

19 b. The person has been licensed, certified, or registered in
20 another state for at least one year.

21 c. When the person became licensed, certified, or registered
22 in another state, the other state imposed minimum initial
23 education requirements and, if applicable, work experience and
24 clinical supervision requirements, and the other state verifies
25 that the person met those requirements in order to be licensed,
26 certified, or registered in that state.

27 d. The person previously passed an examination required by
28 the other state for licensure, certification, or registration,
29 if applicable.

30 e. The person has not had a license, certificate, or
31 registration revoked and has not voluntarily surrendered a
32 license, certificate, or registration in any other state or
33 country while under investigation for unprofessional conduct.

34 f. The person has not had discipline imposed by any other
35 regulating entity in this state or another state or country.

1 If another jurisdiction has taken disciplinary action against
2 the person, the appropriate licensing board shall determine if
3 the cause for the action was corrected and the matter resolved.
4 If the licensing board determines that the matter has not been
5 resolved by the jurisdiction imposing discipline, the licensing
6 board shall not issue or deny a license, certificate, or
7 registration to the person until the matter is resolved.

8 *g.* The person does not have a complaint, allegation, or
9 investigation pending before any regulating entity in another
10 state or country that relates to unprofessional conduct. If
11 the person has any complaints, allegations, or investigations
12 pending, the appropriate licensing board shall not issue or
13 deny a license, certificate, or registration to the person
14 until the complaint, allegation, or investigation is resolved.

15 *h.* The person pays all applicable fees.

16 *i.* The person does not have a criminal history that would
17 prevent the person from holding the license, certificate, or
18 registration applied for in this state.

19 2. A person licensed pursuant to this section is subject to
20 the laws regulating the person's practice in this state and is
21 subject to the jurisdiction of the appropriate licensing board.

22 3. This section does not apply to any of the following:

23 *a.* The ability of a licensing board to require the
24 submission of fingerprints or completion of a criminal history
25 check.

26 *b.* Criteria for a license, certificate, or registration that
27 is established by an interstate compact.

28 4. A license, certificate, or registration issued
29 pursuant to this section does not grant the person receiving
30 the license, certificate, or registration eligibility to
31 practice pursuant to an interstate compact. A licensing
32 board may determine eligibility for a person to hold a
33 license, certificate, or registration pursuant to this section
34 regardless of the person's eligibility to practice pursuant to
35 an interstate compact.

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EXPLANATION

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The inclusion of this explanation does not constitute agreement with
3 the explanation's substance by the members of the general assembly.

3

4 This bill relates to occupational or professional license,
5 certificate, or registration reciprocity in Iowa. The
6 bill requires that a professional or occupational license,
7 certificate, or registration be issued to a person without an
8 examination if 1) that person establishes residency in Iowa
9 or 2) that person is married to an active duty member of the
10 military forces and is accompanying the member on an official
11 permanent change of station to a military installation in Iowa.

12 In order to receive a reciprocal license, certificate,
13 or registration under the bill, a person must meet certain
14 requirements. The person must: be currently licensed,
15 certified, or registered in the occupation or profession
16 applied for in the same practice, in at least one other
17 state, and in good standing in all states in which the
18 person is licensed, certified, or registered; have been
19 licensed, certified, or registered in another state for
20 at least one year; have met minimum educational and work
21 requirements required by the licensing state; have passed any
22 applicable examination; not have had a license, certificate,
23 or registration revoked for unprofessional conduct, or
24 surrendered a license, certificate, or registration while
25 under investigation for such conduct; not have been subject
26 to professional discipline from a regulating entity in any
27 jurisdiction unless the appropriate licensing board determines
28 that the issue has been resolved; not currently be subject to
29 investigation for unprofessional conduct; pay all applicable
30 fees; and not have a disqualifying criminal history.

31 A person who receives a reciprocal license, certificate,
32 or registration becomes subject to the laws regulating the
33 profession or occupation in Iowa and to the jurisdiction of
34 the appropriate licensing board regulating the profession or
35 occupation in Iowa. A licensing board may require an applicant

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1 for a reciprocal license to submit fingerprints and may perform
2 a criminal history check. A reciprocal license does not grant
3 a person eligibility to practice pursuant an interstate compact
4 or affect the eligibility of a person to practice in Iowa under
5 an interstate compact.