

AB 1904 (Block, Butler, and Cook) – Professions and Vocations: Military Spouses: Expedited Licensure

Introduced February 22, 2012, Chaptered September 20, 2012

This bill requires a board under the Department of Consumer Affairs (DCA) to expedite the licensure process for military spouses and domestic partners of a military member who is on active duty in California.

Specifically, this bill:

1) Requires a board within the Department of Consumer Affairs to expedite the licensure process for an applicant who holds a license in the same profession or vocation in another jurisdiction and is married to, in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders.

2) Specifies that the licensee must meet specific requirements in order to have their licensure process expedited including:

a) Supplying evidence of marriage, domestic partnership or other legal union.

b) Possessing a current license in another state, district or territory of the United States in the profession or vocation for which he or she seeks a license from the board.

3) Authorizes a board to adopt regulations necessary to expedite the licensure process.

Background

According to a 2005 study conducted by the RAND National Defense Research Institute, the majority of military spouses are less likely to be employed, more likely to be seeking work and earn less than comparable civilian spouses. Military spouses versus civilian spouses are more likely to live in metropolitan areas. Moreover, they are more likely to have graduated from high school and to have some college education. These facts would ostensibly increase their employability. However, due to "military lifestyle" which includes frequent moves, deployments and long hours that keep service members from assisting with parenting, employment opportunities for spouses are negatively impacted.

According to the author's office:

- 68% of married military members reported their spouse's ability to maintain a career impacts their decision to remain in the military.
- 67% of military spouses report that they want or need to work.
- The annual percent of the military spouse population that moves across state lines is 14.5%, compared to 11% for civilian spouses.
- As much as 34% of military spouses in the labor force are required to be fully licensed.

- 19% of employed spouses experience challenges maintaining their licenses.

United States Department of Defense (DOD) and Department of the Treasury (DOT) Report

On January 24, 2011, U.S. President Barack Obama presented Strengthening Our Military Families: Meeting America's Commitment, a document urging agencies to support and improve the lives of military families.

As a result of the President's directive, the DOT and the DOD issued a joint report to highlight the impact of state occupational licensing requirements on the careers of military spouses, who frequently move across state lines. Released in February 2012, the report, Supporting our Military Families: Best Practices for Streamlining Occupational Licensing Across State Lines revealed that approximately 35% of military spouses work in professions that require state licenses or certification and that military spouses are ten times more likely to have moved to another state in the last year compared to their civilian counterparts.

The report also listed jobs military spouses commonly accepted and revealed how licensing requirements impacted employment opportunities: "Teaching is the most common occupation among military spouses, followed by child care services, and nursing. While many of the common occupations among military spouses are not licensed, some of the most popular professions, including teaching and nursing, do require licensure. In a 2008 Defense Manpower Data Center survey of active duty military spouses, participants were asked what would have helped them with their employment search after their last military move. Nearly 40% of those respondents who have moved indicated that 'easier state-to-state transfer of certification' would have helped them."

As a result of the survey, the DOT and DOD issued several recommendations, including the authorization of temporary licenses for military spouses if the applicant met state requirements. The report's recommendation specified: "Temporary licenses allow applicants to be employed while they fulfill all of the requirements for a permanent license, including examinations or endorsement, applications and additional fees. In developing expedited approaches that save military spouses time and money, DOD does not want to make licensure easier for military spouses to achieve at the expense of degrading their perceived value in their profession."

Military Spouses Employment Partnership . On June 29, 2011, the Military Spouse Employment Partnership (MSEP) was launched at the Chamber of Commerce in Washington, D.C. The MSEP program is an expansion of the Army Spouse Employment Partnership program and is focused on helping military spouses from all branches of the military attain financial security and achieve educational and employment goals.

Through a Web site, the MSEP creates a gateway for military spouses and corporate and non-profit organizations to interact. The MSEP has been the latest development in an effort backed by President Obama's administration to do more to help military families. In May of 2012, 34 companies joined the MSEP and pledged to recruit, hire, promote and retain military spouses in portable careers.

Assembly Bill No. 1904

CHAPTER 399

An act to add Section 115.5 to the Business and Professions Code, relating to professions and vocations.

[Approved by Governor September 20, 2012. Filed with
Secretary of State September 20, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1904, Block. Professions and vocations: military spouses: expedited licensure.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law provides for the issuance of reciprocal licenses in certain fields where the applicant, among other requirements, has a license to practice within that field in another jurisdiction, as specified. Existing law authorizes a licensee to reinstate an expired license without examination or penalty if, among other requirements, the license expired while the licensee was on active duty as a member of the California National Guard or the United States Armed Forces.

This bill would require a board within the department to expedite the licensure process for an applicant who holds a license in the same profession or vocation in another jurisdiction and is married to, or in a legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders.

The people of the State of California do enact as follows:

SECTION 1. Section 115.5 is added to the Business and Professions Code, to read:

115.5. (a) A board within the department shall expedite the licensure process for an applicant who meets both of the following requirements:

(1) Supplies evidence satisfactory to the board that the applicant is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders.

(2) Holds a current license in another state, district, or territory of the United States in the profession or vocation for which he or she seeks a license from the board.

(b) A board may adopt regulations necessary to administer this section.

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