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**PRESENTATION OF THE
PROFESSIONAL AND VOCATIONAL LICENSING DIVISION**

TO THE HOUSE COMMITTEE ON
CONSUMER PROTECTION AND COMMERCE

TWENTY-SIXTH LEGISLATURE
Regular Session of 2012

Monday, February 13, 2012
2:15 p.m.

**TESTIMONY ON HOUSE BILL NO. 2258, H.D. 1, RELATING TO PROFESSIONAL
AND VOCATIONAL LICENSING.**

TO THE HONORABLE ROBERT N. HERKES, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Celia Suzuki, Licensing Administrator for the Professional and Vocational Licensing Division ("Division"), Department of Commerce and Consumer Affairs ("Department"). The Department appreciates the opportunity to express our concerns with House Bill No. 2258, H.D. 1, Relating to Professional and Vocational Licensing.

The purpose of House Bill No. 2258, H.D. 1, is to allow professional and vocational licensing authorities to accept military education, training, and service towards the qualification of a license. It also allows the licensing authorities to adopt rules to implement the new section.

The Division currently oversees the regulation of forty-seven (47) boards, commissions, and programs. Every licensing authority has its own statutes and rules, and specific requirements for licensure. To suggest that all licensing authorities may accept military education, training, or service is overly broad and ambiguous, and does not appear to offer the licensing authorities much discretion. The bill also allows the licensing authorities to accept military education, training, or service, without regard to whether the education, training, or service has any relevance to the specific licensing area. This is clearly unacceptable.

Some of the licensing authorities have the ability to consider various types of experience and training to qualify for licensure, and already accept education and experience obtained during military service. Therefore, we question the need for this measure. Furthermore, it is unreasonable to suggest that the licensing authorities which require applicants to acquire specific academic degrees from accredited institutions may have to accept "military education, training, or service." To allow the licensing authorities to accept such an undefined qualification renders their education requirement meaningless.

There are so many diverse professions and vocations under our jurisdiction. It is our duty to set the standards for entry into all of the professions and vocations that we regulate and to protect the interests of consumers throughout the State. By allowing all licensing authorities to accept such a broad and ambiguous qualification such as "military education, training, or service" directly contradicts the Division's mission of protecting the public.

Thank you for the opportunity to express concerns with this measure.



**OFFICE OF THE DEPUTY ASSISTANT SECRETARY OF DEFENSE
(MILITARY COMMUNITY AND FAMILY POLICY)**

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DoD-State Liaison Office

**Chair Robert N. Herkes, CPC Committee
February 10, 2012**

**Testimony of
Laurie Crehan, Ed.D.
Office of the Assistant Secretary of Defense, Military Community & Family Policy
DoD-State Liaison Office**

**HB 2258 Relating to Professional and Vocational Licensing;
Military Training, Education, and Service**

Testimony

Support

Chair Herkes and members of the House Committee on Consumer Affairs and Commerce, on behalf of the Deputy Assistant Secretary of Defense, I would like to thank you for the opportunity to submit testimony on HB 2258, a bill relating Professional and Vocational Licensing; Military Training, Education, and Service. My name is Dr. Laurie Crehan. I am a State Liaison with the Department of Defense State Liaison Office.

Separating Service members are frequently delayed getting post-Service employment even though they have applicable military education, training, and experience which can qualify them for licenses. Transitioning Service members leave the military with documented training and experience that can prepare them for civilian employment; however, this documentation is not always used by state entities to qualify them for licenses required for their occupation. Reported unemployment rates of veterans that are higher than national averages have brought attention to finding ways to support the transition of our military into civilian jobs.

As of June 2011, one million Veterans were unemployed and the jobless rate for post-9/11 veterans was 13.3 %, with young male Veterans (ages 18 to 24) experiencing an unemployment rate of 21.9%. This number appears to be rising as so many of our troops are returning home from combat. In 2010, according to Defense Manpower Data Center, 2,239 Service members separated or retired back to Hawaii. Many will continue to choose Hawaii when transitioning into civilian careers. This bill will primarily assist those Service members who are from Hawaii and who are coming back to the state after leaving the military.

It has never been the Department of Defense's intent that the licensing boards indiscriminately accept any military education, training, or service, without regard to whether the education, training, or service has any relevance to the specific licensing area. Nor are we asking for acceptance of the education, training and experience unless it is substantially equivalent to the requirements mandated by the state for obtaining a license.

Even in cases where the licensing authority determines that the Service member's education, training, and experience only fulfills part of the licensing criteria of the state, the Service member will still save time and expense and be able to enter the workforce more quickly. We are asking legislative leaders like you to establish policies that ensure separating Service members do not have to repeat requirements completed during their military career to obtain an occupational license.

We understand the DCCA believes we are asking for consideration of military education, training, and service that would compromise the standards of the licensing authorities and the safety of the public. The DCCA and others also consider the language of the current bill as a mandate to accept the Service member's education, training, and experience regardless of its relevancy to or fulfillment of licensing requirements of the Hawaii licensing boards. What we are actually asking is for each licensing authority to develop and adopt rules that will require the review of military education, training, and service to determine if they satisfy the licensing authorities' requirements in order to expedite the Service member in obtaining a license. We are asking that they evaluate a Service member's application in the same manner these boards would seek to evaluate the education, training and experience of an applicant from another state, taking into consideration that the Service member received his or her education, training, and experience in the Armed Forces.

We believed that the current wording "upon presentation of satisfactory evidence by an applicant" implied that the applicant would provide evidence that demonstrated how they fulfilled Hawaii's requirements for licensure. However, we are willing to consider amendments to the language of the current bill, if necessary, to make the intent and parameters of the policy clearer.

The State of Washington adopted language that is inserted in each board's statute saying: *An applicant with military training or experience satisfies the training or experience requirements of this [board] unless the secretary determines that the military training or experience is not substantially equivalent to the standards of the state.*

Another option might be to change the current language to something such as: Notwithstanding any law to the contrary, every licensing authority subject to this chapter, upon presentation of satisfactory evidence by an applicant, *shall consider* the education, training, or service completed by an individual . . . as *part of the evaluation process* of qualification requirements to receive the license.

We feel strongly that the amendment made in the PBM Committee saying the boards *may* make this kind of change would not be adequate to see that meaningful change occurs. The DCCA has already stated their reluctance, so offering them a voluntary opportunity would probably not bring about the desired results. We believe that requiring the boards to review and consider the Service member's education, training, and education, while allowing the boards discretion in how to fulfill the desired objectives of this legislation, will ensure necessary accommodations will be made.

We hope amending the language in some way as proposed above will allay fears of the DCCA and others that they will have to compromise any state standards of licensing. In addition, concerns regarding implementation deadlines could be addressed by adjusting the implementation date.

The Department of Defense recognizes that if we are going to ask credentialing bodies to evaluate military training and experience, we have to make it easier for them to do so, minimizing any fiscal impact. In this regard, we are evaluating how we make that information more meaningful and available to the licensing authorities.

- First, there are currently different Service transcripts that record the training, experience, and education received by Service members. We are working with the Services and with credentialing organizations to see how we can better standardize the information and make it more understandable to non-military audiences.
- Second, since some credentials require an individual to have completed an approved or accredited training program, we are determining which credentials related to military occupations require training program approval or accreditation and identify methods of facilitating this.
- Finally, a key aspect of providing accrediting and credentialing agencies the ability to assess military training is making the training programs of instruction (POIs) available to them for review. Currently, the Services each have their own policies and procedures related to development and maintenance of POIs and there is no centralized location for agencies to access them. Ensuring POIs have some degree of standardization and are more easily accessible to accrediting and credentialing agencies and educational institutions will make it easier for them to assess whether the military training courses meet their criteria.

As part of the initiatives listed above, the Military Services are helping Service members achieve national certifications as part of their education and training. This obviously helps licensing boards translate the value of what they have learned. This bill provides complete discretion to each board as to **how** they are going to accomplish that end.

President Obama has made Service member a top priority of his administration. Last year, four states enacted new laws to help grant our veterans credit towards licensing and/or academic credit. So far for the 2012 session, there are 27 bills in 15 more states resembling the one before you today. We hope that we can include Hawaii in the list of states that have chosen to provide meaningful and substantive solutions to the unemployment issues of our Service members.

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