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# A BILL FOR AN ACT

RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

**PART I**

1  
2 SECTION 1. Section 436B-14.7, Hawaii Revised Statutes, is  
3 amended by amending its title and subsection (a) to read as  
4 follows:

5 "[+]§436B-14.7[+] **Licensure by endorsement or licensure by**  
6 **reciprocity; initial acceptance by affidavit; temporary license.**

7 (a) If a nonresident military spouse holds a current license in  
8 another state, district, or territory of the United States with  
9 licensure requirements that the licensing authority determines  
10 are equivalent to or exceed those established by the licensing  
11 authority of this State, that nonresident military spouse shall  
12 receive a license pursuant to applicable statutes or  
13 requirements of the licensing authority of this State regarding  
14 licensure by endorsement or licensure by reciprocity; provided  
15 that the nonresident military spouse:

- 16 (1) Has not committed an act in any jurisdiction that  
17 would have constituted grounds for the limitation,  
18 suspension, or revocation of a license; has never been



1 censored or had other disciplinary action taken; has  
2 not had an application for licensure denied; or has  
3 not refused to practice a profession or vocation for  
4 which the nonresident military spouse seeks licensure;

5 (2) Has not been disciplined by a licensing or  
6 credentialing entity in another jurisdiction; is not  
7 the subject of an unresolved complaint, review  
8 procedure, or disciplinary proceeding conducted by a  
9 licensing or credentialing entity in another  
10 jurisdiction; and has not surrendered membership on  
11 any professional staff in any professional  
12 association, society, or faculty for another state or  
13 licensing jurisdiction while under investigation or to  
14 avoid adverse action for acts or conduct similar to  
15 acts or conduct which would constitute grounds for  
16 disciplinary action in this State;

17 (3) Pays any fees required by the licensing authority of  
18 this State; [and]

19 (4) Submits with the application a signed affidavit  
20 stating that application information, including  
21 necessary prior employment history, is true and  
22 accurate. Upon receiving the affidavit, the licensing



1 authority shall issue the license to the nonresident  
2 military spouse and may revoke the license at any time  
3 if the information provided in the application is  
4 found to be false[-]; and

5 (5) Is the spouse of a military member who is a member in  
6 good standing in the active or a reserve component of  
7 any of the armed forces of the United States and has  
8 orders issued by the United States Department of  
9 Defense to be stationed in Hawaii for a duration of at  
10 least one year."

11 PART II

12 SECTION 2. Chapter 436B, Hawaii Revised Statutes, is  
13 amended by adding a new section to be appropriately designated  
14 and to read as follows:

15 "§436B- Licensure by endorsement or licensure by  
16 reciprocity; initial acceptance by affidavit; service member.

17 (a) If a service member holds a current license in another  
18 state, district, or territory of the United States with  
19 licensure requirements that the licensing authority determines  
20 are equivalent to or exceed those established by the licensing  
21 authority of this State, that service member shall receive a  
22 license pursuant to applicable statutes or requirements of the



1 licensing authority of this State regarding licensure by  
2 endorsement or licensure by reciprocity; provided that the  
3 service member:

4       (1) Has not committed an act in any jurisdiction that  
5       would have constituted grounds for the limitation,  
6       suspension, or revocation of a license; has never been  
7       censured or had other disciplinary action taken; has  
8       not had an application for licensure denied; and has  
9       not refused to practice a profession or vocation for  
10       which the service member seeks licensure;

11       (2) Has not been disciplined by a licensing or  
12       credentialing entity in another jurisdiction; is not  
13       the subject of an unresolved complaint, review  
14       procedure, or disciplinary proceeding conducted by a  
15       licensing or credentialing entity in another  
16       jurisdiction; and has not surrendered membership on  
17       any professional staff in any professional  
18       association, society, or faculty of another state or  
19       licensing jurisdiction while under investigation or to  
20       avoid adverse action for acts or conduct similar to  
21       acts or conduct which would constitute grounds for  
22       disciplinary action in this State;



1       (3) Pays any fees required by the licensing authority of  
2       this State; and  
3       (4) Submits with the application a signed affidavit  
4       stating that the application information, including  
5       necessary prior employment history, is true and  
6       accurate. Upon receiving the affidavit, the licensing  
7       authority shall issue the license to the service  
8       member and may revoke the license at any time if the  
9       information provided in the application is found to be  
10       false.

11       (b) Unless otherwise provided by law, an applicant for  
12       licensure by endorsement or licensure by reciprocity who is a  
13       service member may demonstrate competency in a specific  
14       profession or vocation as determined by the licensing authority  
15       in lieu of a requirement that the applicant has worked or  
16       practiced in that profession or vocation for a specified period  
17       of time prior to the application for licensure by endorsement or  
18       licensure by reciprocity.

19       (c) The licensing authority shall expedite consideration  
20       of the application and issuance of a license by endorsement,  
21       license by reciprocity, or temporary license to a service member  
22       who meets the requirements of subsection (a) or (b).



1        (d) The requirements of this section shall not be  
2 applicable to applications for licensure by medical doctors,  
3 dentists, or certified public accountants.

4        (e) For purposes of this section, "service member" means  
5 an individual who:

6        (1) Has been given an honorable discharge or general  
7 (under honorable conditions) discharge from active  
8 duty within two years of applying for licensure by  
9 endorsement or licensure by reciprocity; and

10       (2) Provides a copy of the individual's most recent  
11 retirement, separation, or discharge document that  
12 indicates an honorable discharge or general (under  
13 honorable conditions) discharge from active duty."

14       SECTION 3. Act 248, Session Laws of Hawaii 2012, is  
15 amended as follows:

16       1. By amending section 1 to read:

17       "SECTION 1. Chapter 436B, Hawaii Revised Statutes, is  
18 amended by adding a new section to read as follows:

19       "**§436B- Licensure; acceptance of military education,**  
20 **training, or service.** Notwithstanding any law to the contrary,  
21 every licensing authority subject to this chapter, upon  
22 presentation of satisfactory evidence by an applicant, shall



1 consider relevant education, training, licensure examinations,  
2 or service completed by an individual as a member of the armed  
3 forces or reserves of the United States, the national guard of  
4 any state, the military reserves of any state, or the navy  
5 militia of any state; provided that the individual shall:

6 (1) Have been given an honorable discharge or general  
7 (under honorable conditions) discharge from active  
8 duty within two years of applying for licensure; and

9 (2) Provide a copy of the individual's most recent  
10 retirement, separation, or discharge document that  
11 indicates an honorable discharge or general (under  
12 honorable conditions) discharge from active duty,

13 as part of the evaluation process toward the qualification  
14 requirements to receive the license. Evidence presented for  
15 consideration for fulfillment or partial fulfillment of  
16 licensing requirements shall demonstrate substantial equivalency  
17 to state standards. The requirements of this section shall not  
18 be applicable to applications for licensure by medical doctors,  
19 dentists, or certified public accountants."

20 2. By amending section 4 to read:

21 "SECTION 4. This Act shall take effect on July 1, 2012[  
22 ~~and shall be repealed on June 30, 2022]~~."



1 SECTION 4. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on July 1, 2112.

4





**Report Title:**

Licensure; Veterans; Nonresident Military Spouses; Endorsement;  
Reciprocity

**Description:**

Limits licensure by endorsement or reciprocity for nonresident military spouses to those spouses who are present in the State for at least one year pursuant to military orders. Limits consideration of military service or training for licensure by endorsement or reciprocity to veterans honorably discharged within two years of application and excludes medical doctors, dentists, CPAs, and other licensees for which specified endorsement or reciprocity regulations exist. Clarifies and permanently establishes various requirements for licensure by endorsement and reciprocity for military veterans. Effective July 1, 2112. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

