



2021 RECIPROCITY STATE LEGISLATIVE WATCHLIST

Last updated: January 28, 2021

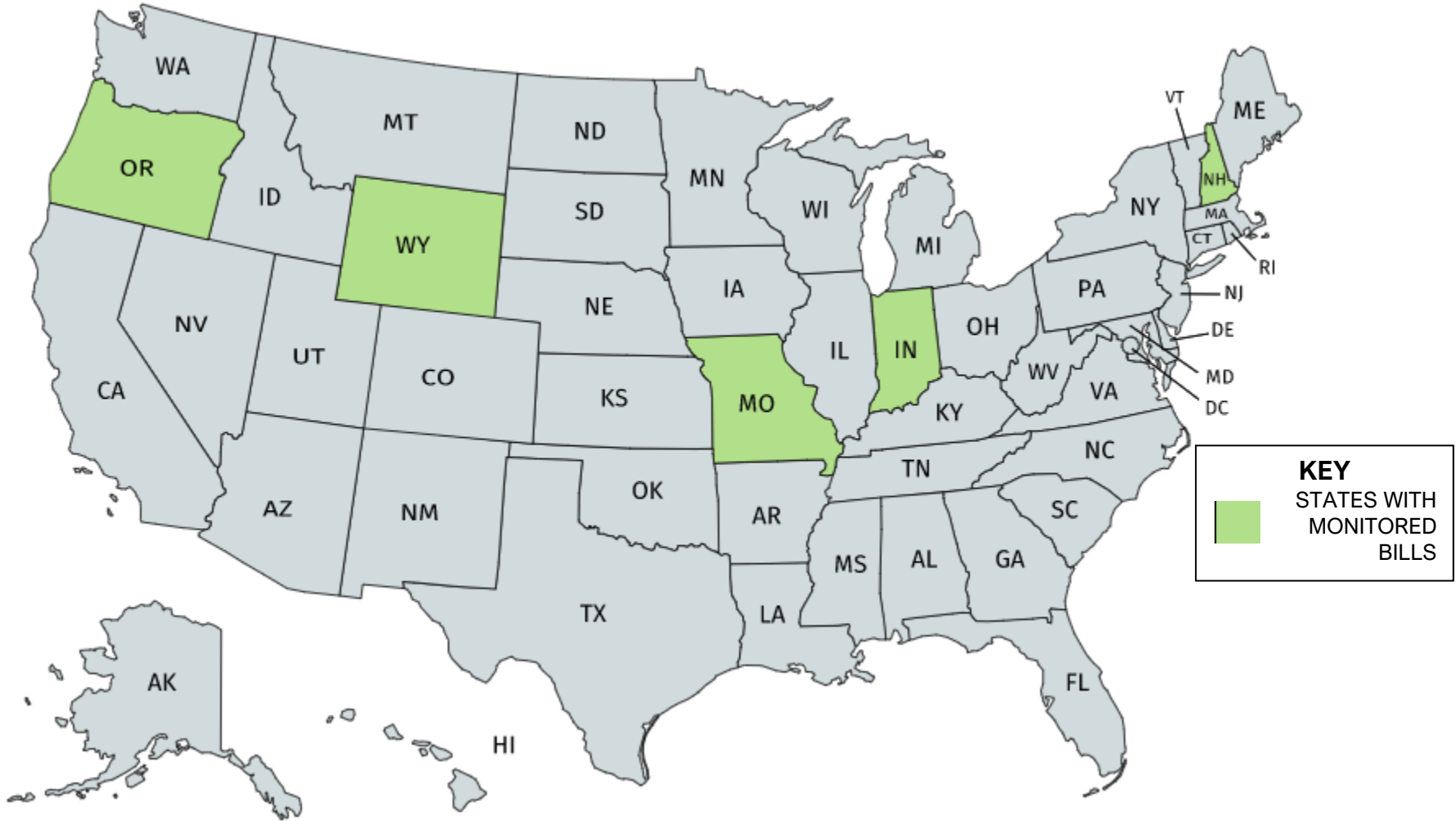


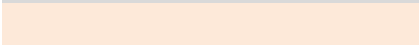





TABLE OF CONTENTS

Indiana.....	3
Missouri.....	5
New Hampshire	7
Oregon.....	10
Wyoming.....	11


KEY	
	= High Priority
NEW	= Bill summarized for the first time in current version of Watchlist
Dead	
Under consideration in one chamber	
Passed one chamber and under consideration in the other	
Awaiting governor's signature	
Enacted	

Indiana	Session Dates	Crossover Deadline	Carryover to 2022
	Jan. 4 – April 29, 2021		No

State	Bill #	Introduced	Primary Sponsor(s)	Last Action	Status	Position	Priority
IN	HB 1408 *NEW*	1/14/2021	Martin Carbaugh (R)	Authored by Representative Carbaugh (1/14/21)	In House	Suggest amendments	Low
Bill Summary		<ul style="list-style-type: none"> • Requires that the board for certain regulated occupations issue a license for the occupation if the individual applies for the license with the appropriate board and meets the following requirements, if such requirements are applicable to the appropriate board: <ul style="list-style-type: none"> ○ The individual has a valid license to practice from another state or jurisdiction for the same regulated occupation that is substantially equivalent to the license type being applied for. ○ The individual has documented residency in Indiana, which may include evidence of a valid Indiana driver's license or identification card. ○ The individual has passed an examination that the appropriate board has determined to be substantially equivalent to the level of license for which a license is being applied. ○ The individual does not have a pending complaint, allegation, investigation, or disciplinary proceeding in another state or jurisdiction. ○ The individual has not had a license revoked or suspended and has not voluntarily surrendered a license in any other state or jurisdiction while under investigation for unprofessional conduct. ○ The individual has not had discipline imposed by the regulating entity in another state or jurisdiction. ○ The individual pays a fee determined by the board that is reviewing the application. ○ The individual completes the licensure application form as required by board. • Defines “license,” for purposes of the bill, as any unlimited, limited, temporary, or provisional “license, certificate, registration, or permit.” 					


	<ul style="list-style-type: none"> • Provides that, if the board requires than an individual submit to a national criminal history background check, the board may maintain that requirement even if the individual applies for a license and meets the requirements listed above. • Provides that any national reciprocal or endorsement agreement or reciprocal agreement with one or more states entered into by the board will remain in effect. • Provide that nothing in the chapter prevents or supersedes a compact or reciprocity or comity agreement established by the general assembly or the board. • Defines “board” as the boards as the following entities: Indiana auctioneer commission, board of chiropractic examiners, home inspectors licensing board, state board of cosmetology and barber examiners, medical licensing board of Indiana, home inspectors licensing board, occupational therapy committee, Indiana board of pharmacy, physician assistant committee, board of podiatric medicine, state psychology board, state board of massage therapy.
<p>Comments and Proposed Changes</p>	<ul style="list-style-type: none"> • Generally, this bill comports with the PCC’s Statement of Principles in that it applies only to enumerated boards and authorizes granting of a reciprocal license only if the licensing board first determines substantial equivalence of qualifications and level and type of license. • In its current form, however, the bill does not expressly address the issue of different scopes of practice.

Missouri	Session Dates	Crossover Deadline	Carryover to 2022
	Jan. 6 – May 30, 2021		No

State	Bill #	Introduced	Primary Sponsor(s)	Last Action	Status	Position	Priority
MO	HB 584  *NEW*	12/22/2020 <i>* prefiled</i>	Tricia Derges (R)	Read Second Time (1/7/2021)	In House	Amend	High
Bill Summary		<ul style="list-style-type: none"> • Bill would repeal existing reciprocal licensure statute and replace it relax requirements for reciprocal licensure. • Defines an “oversight body” as “any board, department, agency, or office of a jurisdiction that issues licenses.” The current statute excludes from the definition of an oversight body “the state board of registration for the healing arts, the state board of nursing, the board of pharmacy, the state committee of psychologists, the Missouri dental board, the Missouri board for architects, professional engineers, professional land surveyors and professional landscape architects, the state board of optometry, or the Missouri veterinary medical board.” • Allows a person who holds a valid current license issued by another state, a territory of the U.S., or D.C., and who has been licensed for at least one year in another jurisdiction to submit an application for a license in Missouri in the same occupation or profession. • Requires the oversight body to “waive any examination, educational, or experience requirements for licensure” in Missouri if the applicant “met the requisite minimum education, work experience, and/or clinical supervision requirements in effect to be licensed or certified in the other state,” within six months of receiving an application. Current statute calls for waiver of any examination, educational, or experience requirements for licensure in this state for the applicant only if the oversight body “determines that the licensing requirements in the jurisdiction that issued the applicant's license are substantially similar to or more stringent than the licensing requirements in Missouri for the same occupation or profession;” this bill deletes that requirement. • Requires the oversight body, within 60 days of receiving an aforementioned application from a health care professional, to “waive any examination, educational, or experience requirements for licensure and issue such applicant a license” during an emergency “if such applicant otherwise meets the requirements;” or • Requires the oversight body, within 30 days of receiving an aforementioned application from a nonresident military spouse or a resident military spouse, to waive “waive any examination, educational, or experience requirements for licensure and issue such applicant a license...if such applicant otherwise meets the requirements.” 					

	<ul style="list-style-type: none"> • Omits the current statutory provision that “The oversight body shall not waive any examination, educational, or experience requirements for any applicant if it determines that waiving the requirements for the applicant may endanger the public health, safety, or welfare.” • Except for health care professionals, nonresident military spouses, and resident military spouses, provides that “an oversight body that administers an examination on laws of this state as part of its licensing application requirement may require an applicant to take and pass an examination specific to the laws of this state.” • Prohibits waiving “any examination, educational, or experience requirements” for any applicant who <ul style="list-style-type: none"> ○ Has had his or her license revoked by an oversight board outside the state ○ Does not hold a license in good standing with an oversight body outside the state ○ Has a criminal record that would disqualify him or her for licensure in Missouri ○ Does not hold a valid current license in the other jurisdiction on the date the oversight body receives his or her application under this section • Removes the reciprocity prohibition for an applicant who is currently under investigation, who has a complaint pending, or who is currently under disciplinary action with an oversight body outside the state. • Removes the ability of the oversight body to deny a license until a disciplinary action against the applicant is resolved by the other jurisdiction. • Explains basis for the bill as that “because immediate action is necessary to expand licensure reciprocity in order to ensure the residents of this state have access to health care professionals during the ongoing COVID-19 pandemic.”
<p>Comments and Proposed Changes</p>	<ul style="list-style-type: none"> • The current statutory approach comports with many of the PCC’s principles. This bill would allow an end run around any Missouri licensure requirements for private certification by removing the existing statutory requirement that the applicant’s license from another state is substantially similar to or more stringent than the licensing requirements in Missouri and replacing it with a standard that the other state’s license meets “minimum education, work experience, and/or clinical supervision requirements.” The bill would also limit the ability for Missouri to require an examination to circumstances in which the examination is “on laws of this state.”

New Hampshire	Session Dates	Crossover Deadline	Carryover to 2022
	Jan. 6 – June 30, 2021		Yes

State	Bill #	Introduced	Primary Sponsor(s)	Last Action	Status	Position	Priority
NH	HB 405  *NEW*	1/10/2021	Mike Harrington (R)	Introduced (in recess of) 01/06/2021 and referred to Executive Departments and Administration (1/10/2021)	In House	Amend	High
Bill Summary		<ul style="list-style-type: none"> Amends current law that sets procedures for out-of-state applicants for professional licensure to also cover out-of-state certification. Defines “private certification” as a voluntary program in which a private organization grants nontransferable recognition to an individual who meets personal qualifications and standards relevant to performing the occupation as determined by the private organization. The individual may use the designated title of “certified,” as permitted by the private organization. Provides that any board or commission regulating an occupation or profession which is a member of an interstate licensure compact, or which has, in statute or by administrative rules, a procedure for reciprocity or temporary licensure for individuals from other states, need not comply with the section for any license or certificate issued by the board or commission. If any board or commission determines that another state's licensure or certification is not comparable to New Hampshire's in education, training, experience, or scope of practice, it shall publish this determination on its website. An individual from such other state possessing such a license or certification shall not be granted temporary or reciprocal licensure or certification under this section, except that: <ul style="list-style-type: none"> .the board or commission will issue an occupational license or certification to a person upon application based on work experience in another state, if all the following apply: <ul style="list-style-type: none"> The person worked in a state that does not use an occupational license or certification to regulate a lawful occupation, but New Hampshire requires an occupational license or certification to regulate a lawful occupation with a similar scope of practice, as determined by the board or commission; The person worked for at least 3 years in the lawful occupation; and 					

- The person satisfies certain requirements necessary for applying for a temporary license or certification.
 - the board will issue an occupational license or certification to a person based on holding a private certification and work experience in another state, if all the following apply:
 - The person holds a private certification and worked in a state that does not use an occupational license or certification to regulate a lawful occupation, but New Hampshire uses an occupational license or certification to regulate a lawful occupation with a similar scope of practice, as determined by the board;
 - The person worked for at least 2 years in the lawful occupation;
 - The person holds a current and valid private certification in the lawful occupation;
 - The private certification organization holds the person in good standing; and
 - The person satisfies the requirements of subparagraphs certain requirements necessary for applying for a temporary license or certification.
- Provides that a person applying for a temporary license or certification must present to the office of professional licensure and certification:
 - A current equivalent license or certification from another jurisdiction in the United States held for at least one year.
 - A statement of good standing from the licensing or certifying authority. (c) Authorization for a criminal history records check, if required.
 - A completed application.
 - A certification that the person has committed no acts or omissions which are grounds for disciplinary action as negligence or intentional misconduct related to the person's profession in another jurisdiction, or, if such acts have been committed, would be grounds for disciplinary action, or has surrendered his or her license or certification because of such acts.
 - The person does not have a complaint, allegation, or investigation pending before another regulating entity in another state or country that relates to unprofessional conduct. If an applicant has any complaints, allegations,

	<p>or investigations pending, the office of professional licensure and certification and the respective board or commission will suspend the application process and may not issue or deny a license or certification to the applicant until the complaint, allegation, or investigation is resolved.</p> <ul style="list-style-type: none"> ○ Other information specifically required by the board. ○ Payment of a fee, not to exceed \$100. <ul style="list-style-type: none"> ● Provides a process for issuance of a temporary license or certification and full-term license prior to the expiration date of the temporary license or certification. ● Provides that the board or commission that administers an examination on laws of the state as part of its license or certificate application requirement may require an applicant to take and pass an examination on the laws of the state. ● Provides that the section does not apply to any board or commission regulating an occupation or profession which is a member of an interstate licensure compact, or which has, in statute or by administrative rules, a procedure for reciprocity or temporary licensure for individuals from other states. ● Provides that “Nothing in this section shall be construed to prevent this state from recognizing occupational credentials issued by a private certification organization, foreign province, foreign country, international organization, or other entity.” ● Provides that “Nothing in this section shall be construed to require a private certification organization to grant or deny private certification to any individual.”
<p>Comments and Proposed Changes</p>	<ul style="list-style-type: none"> ● Expressly allows work experience to substitute for an agency’s determination that another state’s licensure requirements are not comparable to New Hampshire’s in education, training, experience, or scope of practice. ● It also does not set a requirement that the private certification an individual holds be comparable to the substantive requirements for licensure in New Hampshire. Could lead to proliferation of purchased certifications as competitors to psychometrically valid certifications. ● Although it establishes a separate track for individuals who hold private certifications, it does not require that out-of-state individuals in professions for which New Hampshire requires private certification hold the same certification as a condition of reciprocal licensure.

Oregon	Session Dates	Crossover Deadline	Carryover to 2022
	Jan. 21 – June 30, 2021		No

State	Bill #	Introduced	Primary Sponsor(s)	Last Action	Status	Position	Priority
OR	SB 17 *NEW*	1/11/2021	Lynn Findley (R)	Referred to Labor and Business (1/19/2021)	In Senate	Suggest amendments	Low
Bill Summary		<ul style="list-style-type: none"> Permits a professional licensing board to issue a provisional license or other provisional authorization to an out-of-state applicant for a maximum of two years if the applicant: <ul style="list-style-type: none"> Is licensed or otherwise authorized in another state to engage in the same occupation or profession; Certifies to the professional licensing board that the applicant is seeking to engage in the occupation or profession within the Eastern Oregon Border Economic Development Region (a defined region within 20 miles of the Oregon border with the State of Idaho, as set forth in ORS 284.771); Certifies to the professional licensing board that the applicant is actively seeking full licensure or other authorization to engage in the occupation or profession; and Pays the application fee. Requires that applicants issued provisional licenses or other provisional authorizations under this section be required to meet all Oregon standards for full licensure or other authorization imposed by the applicable professional licensing board not later than two years following the date of initial issuance of the provisional license or other provisional authorization. Provides that a professional licensing board may adopt rules to carry out the provisions of this section, including but not limited to rules regarding the tracking and reporting of provisional licenses or other provisional authorizations issued under this section. 					
Comments and Proposed Changes		<ul style="list-style-type: none"> This bill has limited geographic and temporal scope. Suggest providing licensing agencies the discretion to require private certification before granting a provisional license or authorization if Oregon's own licensure law for the profession requires private certification as a condition of licensure. 					

Wyoming	Session Dates	Crossover Deadline	Carryover to 2022
	Jan. 12 – Mar. 5, 2021		No

State	Bill #	Introduced	Primary Sponsor(s)	Last Action	Status	Position	Priority
WY	SF 18 *NEW*	12/28/2020	Joint Committee on Corporations, Elections and Political Subdivisions	S07 – Corporations: Recommend Do Pass 4-1-0-0-0, S Placed on General File, S COW: Passed (1/27/2021)	In Senate	Suggest amendments	Low
Bill Summary		<ul style="list-style-type: none"> • Out-of-State Reciprocity <ul style="list-style-type: none"> ○ Instructs professional or occupational licensing boards to issue a license to an applicant that <ul style="list-style-type: none"> ▪ Holds a relevant, active occupational or professional license in good standing from another state that mandates substantially equivalent or more stringent educational, training, examination, and experience requirements. Substantial equivalency shall be determined pursuant to rules adopted by the licensing board in Wyoming, provided that: <ul style="list-style-type: none"> • The Wyoming board determines educational equivalency by the degree required, • If an exam is required, allows the requirement for a “substantially similar examination” to “be met by passing the same or an earlier version of the exam.” Requires the board to waive this requirement if the individual has been licensed for more than 10 years ▪ Demonstrates competency in the occupation or profession for which the applicant seeks licensure. Licensing boards are to adopt rules to determine competency, which may include consideration of continuing education credits, recent work experience, prior licensing examinations, and disciplinary actions taken against the applicant in other states and other appropriate factors; ▪ Has not engaged in any act that would constitute grounds for refusal, suspension, or revocation of the occupational or professional license sought in this state; and ▪ Has completed all required application procedures and paid any required fee 					

	<ul style="list-style-type: none"> ○ Defines “active” as “a status of occupational or professional licensure which has not been suspended, revoked or terminated and which is not otherwise inactive” ○ Defines “good standing” as “a status of occupational or professional licensure which is in compliance with all requirements imposed by the issuing licensing, certification or registration authority” ○ Applies to all applications for licensure except for an application to be an attorney or to work in a profession with “prescriptive drug authority.” ● Temporary Permits for Military Spouses <ul style="list-style-type: none"> ○ Amends licensing requirements for military spouses to provide an “expedited” license to a military spouse if the spouse: <ul style="list-style-type: none"> ▪ Holds a relevant, active occupational or professional license in good standing from another state ▪ Removes the requirement that the relevant license mandate substantially equivalent or more stringent educational, training, examination, and experience requirements ○ Allows a military spouse to practice under a temporary permit for three years (previously 120 days), provided they are “making progress toward satisfying the unmet licensure requirements” ○ Requires a professional or occupational licensing board to keep track of military and military spouse applications
Comments and Proposed Changes	<ul style="list-style-type: none"> ● The bill largely follows an approach consistent with the PCC’s Statement of Principles. Could benefit from a provision mandating that out-of-state applicants meet any requirements for private certification that are otherwise required for licensure in Wyoming.