

1 A bill to be entitled
2 An act relating to occupational licensure of military
3 spouses; amending s. 455.02, F.S.; requiring the
4 Department of Business and Professional Regulation or
5 the applicable board or program to expedite
6 professional license applications submitted by spouses
7 of active duty members of the Armed Forces of the
8 United States; requiring the department to issue
9 temporary professional licenses under certain
10 circumstances; amending s. 456.024, F.S.; requiring
11 the Department of Health or the applicable board to
12 issue a professional license to spouses of active duty
13 members of the Armed Forces of the United States if
14 certain requirements are met; requiring the department
15 to waive the application fee for such license
16 applications; authorizing applicants issued such
17 licenses to renew their licenses if certain
18 requirements are met; providing construction;
19 requiring the department or applicable board to
20 expedite applications for such licenses; requiring the
21 department or applicable board to issue a temporary
22 professional license under certain circumstances;
23 conforming provisions to changes made by the act;
24 providing an effective date.

26 | Be It Enacted by the Legislature of the State of Florida:

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28 | Section 1. Paragraph (d) is added to subsection (3) of
 29 | section 455.02, Florida Statutes, and paragraph (a) of that
 30 | subsection is republished, to read:

31 | 455.02 Licensure of members of the Armed Forces in good
 32 | standing and their spouses or surviving spouses with
 33 | administrative boards or programs.—

34 | (3)(a) The department shall issue a professional license
 35 | to an applicant who is or was an active duty member of the Armed
 36 | Forces of the United States, or who is a spouse or surviving
 37 | spouse of such member, upon application to the department in a
 38 | format prescribed by the department. An application must include
 39 | proof that:

40 | 1. The applicant is or was an active duty member of the
 41 | Armed Forces of the United States or is married to a member of
 42 | the Armed Forces of the United States and was married to the
 43 | member during any period of active duty or was married to such a
 44 | member who at the time of the member's death was serving on
 45 | active duty. An applicant who was an active duty member of the
 46 | Armed Forces of the United States must have received an
 47 | honorable discharge upon separation or discharge from the Armed
 48 | Forces of the United States.

49 | 2. The applicant holds a valid license for the profession
 50 | issued by another state, the District of Columbia, any

51 possession or territory of the United States, or any foreign
 52 jurisdiction.

53 3. The applicant, where required by the specific practice
 54 act, has complied with insurance or bonding requirements.

55 4.a. A complete set of the applicant's fingerprints is
 56 submitted to the Department of Law Enforcement for a statewide
 57 criminal history check.

58 b. The Department of Law Enforcement shall forward the
 59 fingerprints submitted pursuant to sub-subparagraph a. to the
 60 Federal Bureau of Investigation for a national criminal history
 61 check. The department shall, and the board may, review the
 62 results of the criminal history checks according to the level 2
 63 screening standards in s. 435.04 and determine whether the
 64 applicant meets the licensure requirements. The costs of
 65 fingerprint processing shall be borne by the applicant. If the
 66 applicant's fingerprints are submitted through an authorized
 67 agency or vendor, the agency or vendor shall collect the
 68 required processing fees and remit the fees to the Department of
 69 Law Enforcement.

70 (d) The department or the applicable board or program
 71 shall:

72 1. Expedite all applications submitted by a spouse of an
 73 active duty member of the Armed Forces of the United States
 74 pursuant to this subsection; and

75 2. Issue a temporary professional license valid for the

76 duration of the application review process to such spouse once
 77 the department, board, or program verifies the information
 78 provided by the spouse pursuant to subparagraphs (a)1., 2., and
 79 3. is accurate.

80 Section 2. Paragraphs (a), (c), (e), (f), (g), (h), and
 81 (i) of subsection (4) of section 456.024, Florida Statutes, are
 82 amended, and paragraph (j) is added to that subsection, to read:

83 456.024 Members of Armed Forces in good standing with
 84 administrative boards or the department; spouses; licensure.—

85 (4)(a) The board, or the department if there is no board,
 86 shall ~~may~~ issue a ~~temporary~~ professional license to the spouse
 87 of an active duty member of the Armed Forces of the United
 88 States who submits to the department:

89 1. A completed application upon a form prepared and
 90 furnished by the department in accordance with the board's
 91 rules;

92 2. ~~The required application fee;~~

93 ~~3.~~ Proof that the applicant is married to a member of the
 94 Armed Forces of the United States who is on active duty;

95 ~~3.4.~~ Proof that the applicant holds a valid license for
 96 the profession issued by another state, the District of
 97 Columbia, or a possession or territory of the United States, and
 98 is not the subject of any disciplinary proceeding in any
 99 jurisdiction in which the applicant holds a license to practice
 100 a profession regulated by this chapter;

101 ~~4.5.~~ Proof that the applicant's spouse is assigned to a
102 duty station in this state pursuant to the member's official
103 active duty military orders; and

104 ~~5.6.~~ Proof that the applicant would otherwise be entitled
105 to full licensure under the appropriate practice act, and is
106 eligible to take the respective licensure examination as
107 required in Florida.

108 (c) Each board, or the department if there is no board,
109 shall review the results of the state and federal criminal
110 history checks according to the level 2 screening standards in
111 s. 435.04 when granting an exemption and when granting or
112 denying the ~~temporary~~ license.

113 (e) The department shall waive the applicant's licensure
114 ~~set an application fee, which may not exceed the cost of issuing~~
115 ~~the license.~~

116 (f) An applicant issued a license under this subsection
117 may renew such license upon completion of the conditions for
118 renewal required of licenseholders under the applicable practice
119 act, including, without limitation, continuing education
120 requirements. This paragraph does not limit waiver of initial
121 licensure requirements under this subsection ~~A temporary license~~
122 ~~expires 12 months after the date of issuance and is not~~
123 ~~renewable.~~

124 (g) An applicant for a ~~temporary~~ license under this
125 subsection is subject to the requirements under s. 456.013(3)(a)

126 | and (c).

127 | (h) An applicant shall be deemed ineligible for a
 128 | ~~temporary~~ license pursuant to this section if the applicant:

129 | 1. Has been convicted of or pled nolo contendere to,
 130 | regardless of adjudication, any felony or misdemeanor related to
 131 | the practice of a health care profession;

132 | 2. Has had a health care provider license revoked or
 133 | suspended from another of the United States, the District of
 134 | Columbia, or a United States territory;

135 | 3. Has been reported to the National Practitioner Data
 136 | Bank, unless the applicant has successfully appealed to have his
 137 | or her name removed from the data bank; or

138 | 4. Has previously failed the Florida examination required
 139 | to receive a license to practice the profession for which the
 140 | applicant is seeking a license.

141 | (i) The board, or the department if there is no board, may
 142 | revoke a ~~temporary~~ license upon finding that the individual
 143 | violated the profession's governing practice act.

144 | (j) The board, or the department if there is no board,
 145 | shall:

146 | 1. Expedite all applications submitted by a spouse of an
 147 | active duty member of the Armed Forces of the United States
 148 | pursuant to this section; and

149 | 2. Issue a temporary professional license valid for the
 150 | duration of the application review process to such spouse once

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151 | the board or department verifies the information provided by the
152 | spouse pursuant to paragraph (a) is accurate.

153 | Section 3. This act shall take effect July 1, 2022.