

By Senator Cruz

18-00416-22

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

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Paragraph (d) is added to subsection (3) of
28 section 455.02, Florida Statutes, and paragraph (a) of that
29 subsection is republished, to read:

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30 455.02 Licensure of members of the Armed Forces in good
31 standing and their spouses or surviving spouses with
32 administrative boards or programs.—

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

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

48 2. The applicant holds a valid license for the profession
49 issued by another state, the District of Columbia, any
50 possession or territory of the United States, or any foreign
51 jurisdiction.

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

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

57 b. The Department of Law Enforcement shall forward the
58 fingerprints submitted pursuant to sub-subparagraph a. to the

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

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

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

74 2. Issue a temporary professional license valid for the
75 duration of the application review process to such spouse once
76 the department, board, or program verifies the information
77 provided by the spouse pursuant to subparagraphs (a)1., 2., and
78 3. is accurate.

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

82 456.024 Members of Armed Forces in good standing with
83 administrative boards or the department; spouses; licensure.—

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

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

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

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

94 3.4. Proof that the applicant holds a valid license for the
95 profession issued by another state, the District of Columbia, or
96 a possession or territory of the United States, and is not the
97 subject of any disciplinary proceeding in any jurisdiction in
98 which the applicant holds a license to practice a profession
99 regulated by this chapter;

100 ~~4.5.~~ Proof that the applicant's spouse is assigned to a
101 duty station in this state pursuant to the member's official
102 active duty military orders; and

103 ~~5.6.~~ Proof that the applicant would otherwise be entitled
104 to full licensure under the appropriate practice act, and is
105 eligible to take the respective licensure examination as
106 required in Florida.

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

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

115 (f) An applicant issued a license under this subsection may
116 renew such license upon completion of the conditions for renewal

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117 required of licenseholders under the applicable practice act,
118 including, without limitation, continuing education
119 requirements. This paragraph does not limit waiver of initial
120 licensure requirements under this subsection ~~A temporary license~~
121 ~~expires 12 months after the date of issuance and is not~~
122 ~~renewable.~~

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

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

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

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

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

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

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

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

145 1. Expedite all applications submitted by a spouse of an

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146 active duty member of the Armed Forces of the United States
147 pursuant to this section; and

148 2. Issue a temporary professional license valid for the
149 duration of the application review process to such spouse once
150 the board or department verifies the information provided by the
151 spouse pursuant to paragraph (a) is accurate.

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