



SENATE BILL 545: Workforce Enrichment/Veterans

2015-2016 General Assembly

Committee:	House Homeland Security, Military, and Veterans Affairs	Date:	June 24, 2015
Introduced by:	Sens. Rabin, Sanderson, J. Jackson	Prepared by:	Bill Patterson
Analysis of:	First Edition		Committee Counsel

SUMMARY: *Senate Bill 545 would require an occupational licensing board issue a license to a military-trained applicant if:*

- *The applicant demonstrates military occupational specialty certification and experience in the licensed occupational field.*
- *The applicant passes a proficiency examination offered by the licensing board to military-trained applicants.*

CURRENT LAW: For purposes of Chapter 93B, "occupational licensing board" is defined to include any board established for the primary purpose of regulating the entry of persons into a particular profession and the conduct of persons within the profession that is authorized to issue licenses. However, "occupational licensing board" does not include State agencies, staffed by full time State employees, which as a part of their regular functions may issue licenses. G.S. 93B-1.

In July 2012, S.L. 2012-196 (House Bill 799) enacted G.S. 93B-15.1 requiring occupational licensing boards to issue occupational licenses to military-trained applicants and military spouses if:

- The military-trained applicant was awarded a military occupational specialty; completed a military program of training and testing or equivalent training and experience as determined by the board; performed in that specialty at a level substantially equivalent to or exceeding the requirements for licensure; and engaged in the active practice of the occupation for at least 2 of the 5 years preceding the date of the application.
- The military spouse applicant must hold a current license from another jurisdiction that has requirements for licensure substantially equivalent to or exceeding the requirements for licensure; demonstrate competency in the occupation through methods as determined by the occupational licensing board; and be in good standing and not be disciplined by the agency that had jurisdiction to issue the license.

Both military-trained applicants and spouses must pay any fees required by the occupational licensing board and have not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license, if the act occurred in the State. All relevant experience in the discharge of official duties for the military-trained applicant and all relevant experience including part time, full time, paid and volunteer experience for the military spouse will be credited in the calculation of required years of practice.

The practice of law and the occupations licensed by the NC Medical Board are exempted from the requirements of G.S. 93B-15.1 by subsections (e) and (j). Subsection (i) provides that the State Board of Education is considered an occupational licensing board when issuing teacher licenses under G.S. 115C-296.

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BILL ANALYSIS: Senate Bill 545 would add a new method for military-trained applicants to receive an occupational license in the State: military occupational specialty certification plus proficiency examination.

The proficiency examination for military-trained applicants is the same examination given routinely by an occupational licensing board. If a proficiency examination is not routinely offered, the occupational licensing board must offer a fair proficiency examination for military-trained applicants.

EFFECTIVE DATE: Senate Bill 545 would be effective when it becomes law.

BACKGROUND: The Program Evaluation Division (PED) examined the State's various independent occupational licensing boards and issued Report Number 2014-15: Occupational Licensing Agencies Should Not be Centralized, but Stronger Oversight is Needed.

The Report discusses 3 groups of licensing boards:

- 55 occupational licensing agencies (OLAs) with occupational licensing boards as defined by G.S. 93B-1.
- 151 licensed occupations that are administered and regulated by 12 state-level agencies outside of the scope of G.S. 93B-1.
- 6 State agency-housed occupational licensing boards (Alarm Systems Licensing Board, Board of Employee Assistance Professionals, Home Inspector Licensure Board, Manufactured Housing Board, Private Protective Services Board, Code Officials Qualification Board).

G.S. 93B-15.1 only applies to occupational licensing boards as defined in G.S. 93B-1. The following table lists the 55 OLAs from the PED Report that are known to meet the statutory definition:

NC Acupuncture Licensing Board	The Midwifery Joint Committee
NC Appraisal Board	NC Board of Nursing
NC Board of Architecture	NC Board of Examiners for Nursing Home Administrators
NC Board of Athletic Trainers Examiners	NC Board of Occupational Therapy
NC Auctioneer Licensing Board	NC Board of Opticians
NC Board of Barber Examiners	NC State Board of Examiners in Optometry
NC Cemetery Commission	Cape Fear River Navigation and Pilotage Commission
NC Board of CPA Examiners	Morehead City Navigation and Pilotage Commission
NC Board of Chiropractic Examiners	Board of Examiners of Fee-Based Practicing Pastoral Counselors
NC Board of Cosmetic Art Examiners	NC Board of Pharmacy
NC State Board of Dental Examiners	NC Board of Physical Therapy Examiners
NC Board of Dietetics / Nutrition	NC Board of Plumbing, Heating, and Fire Sprinkler Contractors
NC State Board of Examiners of Electrical Contractors	NC Board of Podiatry Examiners
NC Board of Electrolysis Examiners	NC Board of Licensed Professional Counselors
NC Board of Examiners for Engineers and Surveyors	NC Psychology Board
NC Board of Environmental Health Specialist Examiners	NC Real Estate Commission
NC Board of Registration for Foresters	NC Board of Recreational Therapy Licensure
NC Board of Funeral Service	NC State Board of Refrigeration Examiners
NC Licensing Board for General Contractors	NC Respiratory Care Board
NC Board for Licensing of Geologists	NC Social Work Certification and Licensure Board
NC State Hearing Aid Dealers and Fitters Board	NC Board for Licensing of Soil Scientists
NC Interpreter and Transliterator Licensing Board	NC Board of Examiners for Speech and Language Pathologists and Audiologists
NC Irrigation Contractor's Licensing Board	NC Substance Abuse Professional Practice Board
NC Board of Landscape Architects	NC Veterinary Medical Board
NC Landscape Contractor's Registration Board	NC Onsite Wastewater Contractor Inspector Certification Board
NC Board of Law Examiners	
NC Locksmith Licensing Board	
NC Marriage and Family Therapy Licensure Board	
NC Board of Massage and Bodywork Therapy	

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NC Medical Board	
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Greg Roney, counsel to Senate Judiciary I Committee, substantially contributed to this summary.