

CHAPTER 2022-185

Senate Bill No. 562

An act relating to military occupational licensure; amending s. 455.02, F.S.; requiring the Department of Business and Professional Regulation to expedite professional license applications submitted by spouses of active duty members of the Armed Forces of the United States; requiring the department to issue certain licenses within a specified timeframe; amending s. 456.024, F.S.; requiring the Department of Health and certain boards to issue a professional license to spouses of active duty members of the Armed Forces of the United States if certain requirements are met; requiring the department to waive the application fee for such license applications; requiring the department and certain boards to expedite applications for such licenses and to issue such licenses within a specified timeframe; conforming provisions to changes made by the act; providing an effective date.

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

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

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

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

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

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

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

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

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

(d) The department shall expedite all applications submitted by a spouse of an active duty member of the Armed Forces of the United States pursuant to this subsection and shall issue a license within 7 days after receipt of a complete application that includes all required documentation under subparagraphs (a)1.-4.

Section 2. Present paragraphs (a), (c), and (e) through (i) of subsection (4) of section 456.024, Florida Statutes, are amended, and a new paragraph (i) is added to that subsection, to read:

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

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

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

~~2. The required application fee;~~

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

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

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

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

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

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

(f) ~~A temporary license expires 12 months after the date of issuance and is not renewable.~~

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

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

- 1. Has been convicted of or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession;
- 2. Has had a health care provider license revoked or suspended from another of the United States, the District of Columbia, or a United States territory;
- 3. Has been reported to the National Practitioner Data Bank, unless the applicant has successfully appealed to have his or her name removed from the data bank; or
- 4. Has previously failed the Florida examination required to receive a license to practice the profession for which the applicant is seeking a license.

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

(i) The board, or the department if there is no board, shall expedite all applications submitted by a spouse of an active duty member of the Armed Forces of the United States pursuant to this subsection and shall issue a license within 7 days after receipt of all required documentation for such application.

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

Approved by the Governor June 9, 2022.

Filed in Office Secretary of State June 9, 2022.