
DIGEST

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HB 197 Original

2021 Regular Session

Charles Owen

Abstract: Requires professional or occupational licensing boards to issue occupational licenses to the dependents of healthcare providers who relocate to Louisiana if certain conditions are met.

Proposed law defines "healthcare professional", "dependent", and "professional or occupational licensing board".

Proposed law requires a professional or occupational licensing board "board" to issue certain occupational licensing credentials "license" to the spouses or dependents "applicant" of healthcare professionals who have relocated to the state, if certain conditions are met.

Proposed law requires the board to issue a license to the applicant, based on the applicant's possession of an out-of-state license, if all of the following are met:

- (1) The applicant holds a current and valid license in another state in an occupation with a similar scope of practice.
- (2) The applicant has held that license for at least one year.
- (3) The applicant has passed all exams and met any other education, training, or experience standards required in the other state.
- (4) The applicant is held in good standing in the other state.
- (5) The applicant does not have a criminal record that disqualifies him as determined by the board in this state.
- (6) The applicant has not had a license revoked due to the applicant's negligence or intentional misconduct in his occupation.
- (7) The applicant has not surrendered a license due to the applicant's negligence or intentional misconduct in his occupation.
- (8) The applicant does not have a complaint, allegation, or investigation pending before a board in another state related to the applicant's work in another state.

- (9) The applicant pays all applicable fees in this state.

Proposed law requires the board to issue a license to the applicant, based on the applicant's prior work experience, if all of the following are met:

- (1) The applicant worked in a state that does not use a license to regulate a lawful occupation, but this state uses a license to regulate an occupation with a similar scope of practice.
- (2) The applicant worked in the occupation for at least three years.
- (3) The applicant has not had a license revoked due to the applicant's negligence or intentional misconduct in his occupation.
- (4) The applicant has not surrendered a license due to the applicant's negligence or intentional misconduct in his occupation.
- (5) The applicant does not have a complaint, allegation, or investigation pending before a board in another state related to the applicant's work in another state.
- (6) The applicant pays all applicable fees in this state.

Proposed law requires the board to issue a license to the applicant, based on the applicant holding a private certification and his prior work experience if all of the following apply:

- (1) The applicant worked in a state that does not use a license to regulate a lawful occupation, but this state uses a license to regulate an occupation with a similar scope of practice.
- (2) The applicant worked in the occupation for at least two years.
- (3) The applicant holds a current and valid private certification in the occupation.
- (4) The private certification organization holds the applicant in good standing.
- (5) The applicant has not had a license revoked due to the applicant's negligence or intentional misconduct in his occupation.
- (6) The applicant has not surrendered a license due to the applicant's negligence or intentional misconduct in his occupation.
- (7) The applicant does not have a complaint, allegation, or investigation pending before a board in another state related to the applicant's work in another state.
- (8) The applicant pays all applicable fees in this state.

Proposed law allows the board to require the applicant to pass a jurisprudential exam.

Proposed law requires the board to give the applicant a written decision regarding the application within 30 days after receipt of an application. Proposed law allows the applicant to appeal certain decisions by the board.

An applicant who is provided a license under proposed law remains subject to present law regulating his occupation in the state and the jurisdiction of the board in this state.

Proposed law preempts laws by township, municipal, parish, and other governments in the state.

Proposed law requires boards to promulgate rules to implement proposed law.

Proposed law does not prohibit an applicant from attempting to obtain a license under present law.

Proposed law does not apply to an occupation regulated by the state supreme court, a license issued and regulated under the judicial branch of government, any person covered under the Nurse Licensure Compact, or any person who obtains a license on a nationwide licensing or registry system.

(Adds R.S. 37:1751)