



Summary: Military Temporary Licenses (SB 7)

SB 7 (133rd General Assembly), effective April 26, 2020, requires state occupational licensing agencies, under certain circumstances, to issue six-year temporary military licenses or certificates (licenses) to members of the military and spouses who are licensed in another jurisdiction and have moved to Ohio for active duty. (Sections 4743.04(D) and 4743.041(B), ORC)

1. General Provisions
 - a. May not be valid for more than six years. (Section 4743.041(D), ORC)
 - b. The Board may issue a regular license in lieu of a 4743.041 temporary license if the applicant meets the SB 7 requirements. (Section 4743.041(C), ORC)
 - c. The Board has authority to adopt administrative rules. (Section 4743.041(H), ORC)
 - i. The rules may address any special accommodations that may be appropriate for applicants facing imminent deployment for those applying for a temporary license. (Section 5903.04, ORC)
2. Qualifications (Section 4743.041(B), ORC)
 - a. Applicant holds a valid license to practice issued by another jurisdiction
 - b. Applicant is in good standing in the other jurisdiction. "In good standing" is not defined in statute but should be read as equivalent to holding a "current, valid and unrestricted" license in another jurisdiction. (See Section 4723.09(B), ORC.)
 - c. Applicant presents proof that the applicant or applicant's spouse is on military duty¹ in Ohio
 - d. Applicant must comply with Criminal Records Check (CRC) law.
3. Deadlines and Processing (Section 4743.041(D), ORC)
 - a. If the applicant is required to submit CRCs, the agency must notify the applicant within 24 hours of receipt of the results.²
 - b. If the applicant meets the requirements, the board must issue the license within 30-days of receipt of an application or if subject to CRCs, within 14-days of receiving the CRC results. If the applicant is under investigation by another licensing board, the Ohio Board may postpone issuing the license until the investigation is complete and the other licensing board confirms the individual is in good standing.

¹ "Military duty" includes service in the uniformed services on active duty, in the active guard and reserve, and as a military technician dual status as defined in 10 U.S.C. 10216. "Uniformed services" includes member of the Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard, the commissioned corps of the National Oceanic and Atmospheric Administration, and the commissioned corps of the Public Health Service (Section 4743.041(A), by reference to 10 U.S.C. 101).

² Applicants for licenses issued by the Nursing Board are required to obtain CRCs by Section 4723.09, ORC, not 4776.04, ORC. Because of this, the 24-hour result notification requirement does not apply. However, in keeping within the spirit of the new law, the Board will implement the 24-hour results notification process.

4. Fees (Section 4743.041(G), ORC)
 - a. Fees are waived for the 4743.041 temporary license.
5. Renewal (Section 4743.041(D), ORC)
 - a. Upon renewal, board must verify the standing of the license that was issued by another state or jurisdiction.
 - b. The bill is silent as to verification of continuing education upon renewal, but the bill also does not state that 4743.041 temporary license holders are not subject to continuing education requirements. Renewal is an opportunity to verify continuing education (CE) that is consistent with other licenses.
 - c. A licensee may submit an application to a licensing agency, stating that the licensee requires an extension of the current reporting period because the licensee has served on active duty during the current or a prior reporting period. CE waiver may be applicable according to Section 5903.12, ORC. See also Rule 4723-2-04, OAC.
6. Basis for Denial or Revocation (Sections 4743.041(E), and 9.78, ORC)
 - a. The individual's license issued by another jurisdiction expires, is revoked, or not in good standing
 - b. For an individual who was eligible as a spouse, if 6 months have elapsed since a divorce, dissolution, or annulment of the marriage
 - c. The individual is disqualified from obtaining a license due to a conviction, judicial finding of guilt, or plea of guilty to a disqualifying criminal offense specified. Section 4723.092, ORC lists the criminal violations, posted on the Board website, that disqualify an applicant from obtaining a license issued by the Ohio Board.
7. Scope of Practice (Section 4743.041(F), ORC)
 - a. For a temporary license or regular license issued under SB 7, an individual is authorized to practice only within the scope and practice that is permitted under Ohio law and that does not exceed the individual's training.
8. Continuing Expedited Processing for Service Members, Veterans, or Spouses (Section 5903.04, ORC)
 - a. Current law provides for expedited processing of applications of members of the military and their spouses (See also Rule 4723-2-02, OAC). The Board has promoted expedited licensing of the military through rules, processes and approval of certain military nursing programs which were added to statute.
9. Enforcement Parity (Section 4743.041(J), ORC)
 - a. A license issued under SB 7 is considered a license issued under the laws regulating the practice of the applicable occupation or profession in this state. Laws that apply to a license issued to a person who does not obtain a license under this law, apply to in the same manner to licenses issued under this law.
10. Reporting (Section 4743.041(I), ORC)
 - a. Requires, by July 30, a report be submitted to the Director of Veterans Services regarding the number and type of temporary licenses issued during the previous fiscal year.