

SENATE BILL NO. 60

BY SENATOR PRESSLY

1 AN ACT

2 To enact Chapter 1-E of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 37:51 through 59, relative to universal occupational license recognition; to
4 provide for definitions; to provide for conditions for application; to provide for
5 occupational licensing requirements; to require proof of residency; to provide for
6 jurisprudential examination; to provide for board decisions on applications; to
7 provide for appeals of a board decision on applications; to provide for state law and
8 jurisdiction; to provide for exemptions; to provide for limitations; and to provide for
9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Chapter 1-E of Title 37 of the Louisiana Revised Statutes of 1950,
12 comprised of R.S. 37:51 through 59, is hereby enacted to read as follows:

13 CHAPTER 1-E. WELCOME HOME ACT

14 §51. Definitions

15 The words defined in this Section have the meanings given to them for
16 purposes of this Chapter unless the context clearly requires otherwise.

17 (1) "Board" means any state executive branch board, commission,
18 department, or other agency that regulates the entry of persons into a particular
19 profession or occupation or that is authorized to issue or revoke occupational
20 licenses or certifications.

21 (2) "Occupational license" means a nontransferable authorization issued
22 by a state to an individual to legally practice or engage in a regulated profession
23 or occupation.

24 (3) "Other state" or "another state" means any United States territory
25 or state in the United States other than this state.

26 (4) "Scope of practice" means the procedures, actions, processes, and
27 work that a person may perform pursuant to an occupational license or

1 certification issued in this state.

2 §52. Occupational license or certification

3 A. Notwithstanding any other law, a board shall issue an occupational
4 license or certification to a person upon application, if all of the following apply:

5 (1) The applicant holds a current and valid occupational license or
6 certification in another state in a lawful occupation with a similar scope of
7 practice, as determined by the board in this state.

8 (2) The applicant has held the occupational license or certification in the
9 other state for at least one year.

10 (3) The other state required the applicant to pass an examination, or to
11 meet education, training, or experience standards.

12 (4) The other state holds the applicant in good standing.

13 (5) The applicant does not have a disqualifying criminal record as
14 determined by the board in this state under state law.

15 (6) The applicant does not have a disciplinary action or investigation
16 pending in another state. If the applicant has a disciplinary action or
17 investigation pending, the board in this state shall not issue or deny an
18 occupational license or certification to the person until the disciplinary action
19 or investigation is resolved or the person otherwise meets the criteria for an
20 occupational license or certification in this state to the satisfaction of the board
21 in this state.

22 (7) The applicant pays all applicable fees in this state.

23 (8) The applicant lives in this state and provides proof of residency as
24 outlined in R.S. 37:53.

25 B. If another state issued the applicant a certification, but this state
26 requires an occupational license to work, the board in this state shall issue an
27 occupational license to the applicant if the applicant otherwise satisfies
28 Subsection A of this Section.

29 C. Notwithstanding any other provision of law to the contrary, the
30 Louisiana State Board of Medical Examiners and the Louisiana Board of

1 Veterinary Medicine shall issue a conditional license or certification, pending
2 normal licensure, to an applicant who otherwise satisfies Subsection A of this
3 Section.

4 D. In addition to the requirements of Subsection A of this Section, the
5 Louisiana State Board of Dentistry may require that an applicant for dental
6 licensure has successfully completed an initial clinical licensure examination in
7 a jurisdiction that included a hand skills assessment.

8 E. A license issued under this Chapter may contain the following
9 statement: "Licensed by Endorsement, R.S. 37:51 et seq."

10 **§53. Residency**

11 For purposes of this Chapter, residency may be established by producing
12 proof of one of the following:

13 (1) A current state-issued identification card.

14 (2) A state-issued voter registration card.

15 (3) Documentation of current in-state employment or notarized letter of
16 promise of employment of the applicant or his spouse. If an applicant uses this
17 method to obtain licensure, a board shall require another form of proof of
18 residency listed in this Section, six months after licensure is granted.

19 (4) A current homestead exemption for this state.

20 **§54. Examination**

21 A. A board may require an applicant to pass a jurisprudential
22 examination specific to relevant state laws that regulate the occupation if an
23 occupational license or certification in this state requires an applicant to pass
24 a jurisprudential examination specific to relevant state statutes and
25 administrative rules that regulate the occupation or certification.

26 B. If the Horticulture Commission of Louisiana administers an
27 examination as part of the licensure process, it may require applicants to take
28 and pass all or part of the examination as may be necessary to demonstrate
29 competence regarding Louisiana specific flora or Louisiana specific
30 environmental issues.

1 **§55. Decision**

2 **A board shall provide an applicant with a written decision regarding his**
3 **application within sixty days after receiving a completed application.**

4 **§56. Appeal**

5 **A. An applicant may appeal a board's decision to a court of general**
6 **jurisdiction.**

7 **B. An applicant may appeal any of the following:**

8 **(1) The board's denial of an occupational license or certification.**

9 **(2) The board's determination of the occupation or certification.**

10 **(3) The board's determination of the similarity of the scope of practice**
11 **of the occupational license or certification issued.**

12 **§57. State laws and jurisdiction**

13 **A person who obtains an occupational license or certification pursuant**
14 **to this Chapter is subject to the laws regulating the occupation in this state and**
15 **the jurisdiction of the board in this state.**

16 **§58. Exceptions**

17 **A. This Chapter does not apply to an occupation regulated by the state**
18 **supreme court.**

19 **B. This Chapter shall not apply to peace officers, as defined in R.S.**
20 **40:2402.**

21 **§59. Limitations**

22 **A. Nothing in this Chapter shall be construed to prohibit a person from**
23 **applying for an occupational license or certification under another statute or**
24 **rule in state law.**

25 **B. An occupational license or certification issued pursuant to this**
26 **Chapter is valid only in this state. It does not make the person eligible to work**
27 **in another state under an interstate compact or reciprocity agreement unless**
28 **otherwise provided by law.**

29 **C. Nothing in this Chapter shall be construed to prevent the state from**
30 **entering into a licensing compact, professional national mobility agreement, or**

1 reciprocity agreement with another state, foreign province, foreign country,
 2 international organization, or other entity. A person may apply for licensure
 3 under this Chapter or may apply for licensure pursuant to the terms of the
 4 applicable licensing compact, professional national mobility agreement, or
 5 reciprocity agreement.

6 D. Nothing in this Chapter shall be construed to prevent the state from
 7 recognizing occupational credentials issued by a private certification
 8 organization, foreign province, foreign country, international organization, or
 9 other entity.

10 E. Nothing in this Chapter shall be construed to require a private
 11 certification organization to grant or deny private certification to any
 12 individual.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____