

Louisiana Revised Statutes of 1950

Title 37 – Professions and Occupations

Chapter 59 – Licensure for Individuals with Military Training

[Editor's Note: This new chapter was created by Act 276 of the 2012 Legislature, consisting of §3650 which was subsequently re-designated §3651; it became effective August 1, 2012. Subsequent amendments are noted herein.]

§3651. Licensure for individuals with military training and experience; licensure by endorsement for military spouses and dependents

- A. Notwithstanding any other provision of law to the contrary, a professional or occupational licensing board shall issue a license, certification, permit pending normal license, or registration to a member of the military, including United States Department of Defense civilian employees who have been assigned to duty in Louisiana, or an applicant who is married to or is a dependent of a member of the military or a United States Department of Defense civilian employee, if the member or United States Department of Defense civilian receives military orders for a change of station to a military installation or assignment located in this state or if the member or United States Department of Defense civilian has established this state as his state of legal residence as reflected in the member's or United States Department of Defense civilian's military record if, upon application to the board, the applicant satisfies all of the following conditions:
- (1) The applicant holds a current and valid occupational license in another state in an occupation with a similar scope of practice, as determined by the board in this state.
 - (2) The applicant has held the occupational license in the other state for at least one year.
 - (3) The applicant has passed any examinations, or met any education, training, or experience standards as required by the board in the other state.
 - (4) The applicant is held in good standing by the board in the other state.
 - (5) The applicant does not have a disqualifying criminal record as determined by the board in this state under the laws of this state.
 - (6) The applicant has not had an occupational license revoked by a board in another state because of negligence or intentional misconduct related to the applicant's work in the occupation.
 - (7) The applicant did not surrender an occupational license because of negligence or intentional misconduct related to the person's work in the occupation in another state.
 - (8) The applicant does not have a complaint, allegation, or investigation pending before a board in another state which relates to unprofessional conduct or an alleged crime. If the applicant has a complaint, allegation, or investigation pending, the board in this state shall not issue or deny an occupational license to the applicant until the complaint, allegation, or investigation is resolved, or the applicant otherwise satisfies the criteria for licensure in this state to the satisfaction of the board in this state.
 - (9) The applicant pays all applicable fees in this state.
 - (10) The applicant simultaneously applies for a permanent license; if the applicant fails to qualify for a permanent license as determined by the occupational or licensing board once the permanent application is vetted, the permit automatically terminates.
- B. Notwithstanding any other provision of law, a professional or occupational licensing board shall issue an occupational license, permit pending normal license, or government certification to an applicant who is a member of the military, or an applicant who is married to or is a dependent of a member of the military or United States Department of Defense civilian employee who has been assigned duty in Louisiana, upon application based on work experience in another state, if all the following apply:
- (1) The applicant worked in a state that does not use an occupational license or government certification to regulate a lawful occupation, but this state uses an occupational license or government certification to regulate a lawful occupation with a similar scope of practice, as determined by the board in this state.
 - (2) The applicant worked for at least three years in the lawful occupation.
 - (3) The applicant satisfies the requirements of Paragraphs (A)(6) through (10) of this Section.
- C. Notwithstanding any other provision of law, a professional or occupational licensing board shall issue an occupational license, permit pending normal license, or government certification to an applicant who is a member of the military or a United States Department of Defense civilian employee who has been assigned duty in Louisiana, or an applicant who is married to or is a dependent of a member of the military or a United States Department of Defense civilian employee, based on holding a private certification and work experience in another state, if all the following apply:
- (1) The applicant worked in a state that does not use an occupational license or government certification to

- regulate a lawful occupation, but this state uses an occupational license or government certification to regulate a lawful occupation with a similar scope of practice, as determined by the board in this state.
- (2) The applicant worked for at least two years in the lawful occupation.
 - (3) The applicant holds a current and valid private certification in the lawful occupation.
 - (4) The private certification organization holds the applicant in good standing.
 - (5) The applicant satisfies the requirements of Paragraphs (A)(6) through (10) of this Section.
- D. Notwithstanding any other law, the education, training, or experience requirements for an occupational license issued pursuant to this Title are completely or partially satisfied, as determined by the regulating occupational licensing board on presentation of satisfactory evidence that the applicant received comparable education, training, or experience as a member of the United States armed forces or any national guard or other reserve component.
 - E. The board may require a person to pass a jurisprudential examination specific to relevant state laws that regulate the occupation if an occupational license or government certification in this state requires a person to pass a jurisprudential examination specific to relevant state statutes and administrative rules that regulate the occupation.
 - F. The board will provide the applicant with a written decision regarding the application for an occupational license within thirty calendar days after receiving an application.
 - G. (1) The applicant may appeal any of the following decisions made by the board, in a court of general jurisdiction:
 - (a) Denial of an occupational license.
 - (b) Determination of the occupation.
 - (c) Determination of the similarity of the scope of practice of the occupational license issued.
 - (d) Any other determinations made pursuant to this Section.(2) The court shall determine all questions of law, including the interpretation of a constitutional or statutory provision or a rule adopted by a board, without regard to any previous determination that may have been made on the question in any action before the board.
 - H. A person who obtains a permit pending normal license, occupational license, or government certification pursuant to this Section is subject to all of the following:
 - (1) The laws regulating the occupation in this state.
 - (2) The jurisdiction of the board in this state.
 - I. This Section does not apply to an occupation regulated by the state supreme court.
 - J. This Section preempts laws by township, municipal, county and other governments in the state which regulate occupational licenses and government certification.
 - K. A professional or occupational licensing board shall adopt rules in accordance with the Administrative Procedure Act necessary to implement the provisions of this Section.
 - L. Nothing in this Section shall be construed to prohibit a military-trained applicant or military spouse or spouse of a United States Department of Defense civilian employee who has been assigned to duty in Louisiana from proceeding under the existing licensure, certification, or registration requirements established by a professional or occupational licensing board in this state.
 - M. For the purposes of this Section, “professional or occupational licensing board” shall mean any state agency, board, commission, or substantially similar entity, involved in the licensing, certification, or registration of any regulated profession or occupation within this state.
 - N. For the purposes of this Section, “military” means the armed forces or reserves of the United States, including the Army, Navy, Marine Corps, Coast Guard, Air Force, and the reserve components thereof, the National Guard of any state, the Military Reserves of any state, or the naval militia of any state.
 - O. For the purposes of this Section, “dependent” means a resident spouse or resident unmarried child under the age of twenty-one years, a child who is a student under the age of twenty-four years and who is financially dependent upon the parent, or a child of any age who is disabled and dependent upon the parent.
 - P. The provisions of this Section shall not apply to any applicant receiving a dishonorable discharge or a military spouse whose spouse received a dishonorable discharge.
 - Q. The provisions of this Section shall not apply to a license issued and regulated under the authority of the judicial branch of government, to any person covered under the Nurse Licensure Compact, or to any person that obtains licensure or registration on a nationwide licensing or registry system.

(Amended by Act 616 of 2016 Legislature, effective August 1, 2016; amended by Act 200 of 2020 Legislature, effective January 1, 2021)

§3652. Professional and occupational licenses; renewal fees waived; educational requirements

- A. A person who is performing or has performed service in the uniformed services, as provided in 10 U.S.C. 101, or the National Guard, as provided in 10 U.S.C. 311, or a military spouse who has relocated with their

servicemember spouse assigned or ordered to active duty outside the United States and its territories and who has provided evidence of deployment or relocation to the professional or occupational licensing board prior to expiration of their license may be exempt from both of the following:

- (1) The payment of any reinstatement or licensing renewal fee required by any profession or occupation governed by this Title or by any other provision of law or ordinance during the servicemember's period of service in the uniformed services.
 - (2) Compliance with any continuing educational requirements applicable to such license during the servicemember's period of service in the uniformed services.
- B. An exemption provided pursuant to Subsection A of this Section shall not apply to licensing or renewal fees or continuing educational requirements applicable to such license for the year in which the servicemember is released or discharged from active duty.
 - C. Any applicable license that is not subject to minimum licensing standards set forth in federal law or regulation shall continue in force and effect, provided that any applicable renewal fees are paid and any educational requirements are completed within one hundred eighty days of the servicemember's release or discharge from active duty. For occupational licenses or registrations which are subject to minimum standards set forth by federal law or regulation, the professional or occupational licensing board may take any such action that may be available to maintain such licenses in an inactive or dormant status so that the servicemember or spouse may resume the licensed activity promptly upon satisfying applicable minimum standards.
 - D. For the purposes of this Section, "professional or occupational licensing board" shall mean any state agency, board, commission, or substantially similar entity, involved in the licensing, certification, or registration of any regulated profession or occupation within the state of Louisiana.
 - E. The provisions of this Section shall not apply to any license issued and regulated under the authority of the judicial branch of government.

(Section added by Act 5 of the 2013 Legislature, effective August 1, 2013)

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(end of Chapter 59)

(end of Title 37)