

1 State of Arkansas As Engrossed: H3/11/15 H3/17/15 H3/19/15

2 90th General Assembly

A Bill

3 Regular Session, 2015

HOUSE BILL 1823

4

5 By: Representative Dotson

6 By: Senator Hester

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For An Act To Be Entitled

9 AN ACT TO PROMOTE, RECRUIT, AND RETAIN A HIGHLY
10 SKILLED WORKFORCE IN THIS STATE; TO AMEND THE LAW
11 CONCERNING LICENSING, REGISTRATION, AND CERTIFICATION
12 FOR CERTAIN PROFESSIONS; TO AMEND THE LAW CONCERNING
13 REINSTATEMENT OF LICENSES AND CERTIFICATION; AND FOR
14 OTHER PURPOSES.

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Subtitle

18 TO PROMOTE, RECRUIT, AND RETAIN A HIGHLY
19 SKILLED WORKFORCE IN THIS STATE; AND TO
20 AMEND THE LAW CONCERNING LICENSING,
21 REGISTRATION, AND CERTIFICATION FOR
22 CERTAIN PROFESSIONS.

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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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27 SECTION 1. Arkansas Code, Title 17, Chapter 1, Subchapter 1, is
28 amended to add an additional section to read as follows:

29 17-1-107. Reinstatement of licenses.

30 (a)(1) It is not the intent of the General Assembly to cause the
31 licensing entity to engage in simple comparisons of the required hours of
32 training and other personal qualifications under Arkansas' occupational
33 licensing statutes with those qualifications required in the state where the
34 person is credentialed.

35 (2) It is the intent of the General Assembly to ensure that a
36 person may be credentialed to work in Arkansas if he or she generally



1 demonstrates the skills and ethics required by state law based on the
2 person's experience and credentials in another state.

3 (b) A licensing entity shall by rule adopt reduced requirements for
4 reinstatement of a license, registration, or certification for a person who:

5 (1) Demonstrates that he or she:

6 (A) Was previously licensed, registered, or certified to
7 practice in the field of his or her profession at any time in this state;

8 (B) Held his or her license in good standing at the time
9 of licensing;

10 (C) Did not have his or her license revoked for:

11 (i) An act of bad faith; or

12 (ii) A violation of law, rule, or ethics;

13 (D) Is not holding a suspended or probationary license in
14 any state; and

15 (E) Is sufficiently competent in his or her field; and

16 (2) Pays any reinstatement fee required by law.

17 (c) The licensing entity may require that sufficient competency in a
18 particular field be demonstrated by:

19 (1) Proficiency testing;

20 (2) Letters of recommendation; or

21 (3) Both proficiency testing and letters of recommendation.

22 (d)(1) Except as provided under subdivision (c)(2) of this section,
23 the licensing entity shall not require a person who meets the requirements of
24 subsection (a) of this section to participate in the apprenticeship,
25 education, or training required as a prerequisite to licensing, registration,
26 or certification of a new professional in the field.

27 (2) The licensing entity may require the person to participate
28 in continuing education or training if the continuing education or training
29 is required for all professionals in the field to maintain the license,
30 registration, or certification.

31 (e) A person shall not be required to comply with requirements under
32 this section to obtain reinstatement of his or her license, registration, or
33 certification if the person meets the requirements for reciprocity.

34 (f) If a criminal background check is required of a person currently
35 holding a license, registration, or certification, then the licensing entity
36 may require a person seeking reinstatement under this section to meet the

1 same criminal background check requirements as the person currently holding a
2 license, registration, or certification.

3 (g) As used in this section "licensing entity" means an agency, board,
4 commission, department, committee, or other authority of the government of
5 the State of Arkansas, whether within or subject to review by another agency,
6 except the General Assembly, the courts, and Governor, that has the duty to
7 license, register, certify, or otherwise approve a person to work in a
8 particular field or industry.

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/s/Dotson

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