VETERINARY FEES Veterinarians:

5. The schedule for license and permit certificate, and permit fees shall will be as follows:

   A. Application The application fee by exam shall be $100.00 for licensure by examination is one hundred dollars ($100.00) and must be paid at the time of filing of the application for license. The completed application must be received 30 at least thirty (30) days prior to the exam date of the next written state board examination.

   B. Application The application fee by endorsement shall be $100.00 for licensure by endorsement is one hundred dollars ($100.00) and must be paid at the time of filing the application. The completed application must be received 30 days prior to the exam date.

   C. The application fee is waived for a veterinarian applying for a license pursuant to Ark. Code Ann. §17-1-106.

   D. NAVLE (North-American-Veterinary-Licensing Examination) North American Veterinary Licensing Examination (NAVLE) candidates must complete a Board application form AND a NAVLE application form to be mailed to NBVME (National Board of Veterinary Medical Examiners) along with a cashier's check or money order for the amount of their fee. submit to the Board an application for licensure by examination, as well as submit a NAVLE application and fee directly to the International Council for Veterinary Assessment.

   E. Annual renewal of license shall be $100.00 for veterinarians practicing either full-time or part time within the State, and $25.00 for inactive license renewal for veterinarians not engaged in the practice of veterinary medicine in Arkansas. The annual renewal fee for an active veterinary license is one hundred dollars ($100.00) and the annual renewal fee for an inactive veterinary license is twenty-five dollars ($25.00). A veterinarian CANNOT practice in Arkansas with an inactive license.

   F. Corporate practice application fee shall be $35.00; annual renewal fee for corporate practice shall be $10.00. The application fee for a corporate practice is thirty-five dollars ($35.00). The annual renewal fee for a corporate practice certificate is ten dollars ($10.00).

   G. All renewals are due by March 31st each year. Delinquent renewal fee shall be $100.00. The delinquent fee is one hundred dollars ($100.00) and shall be due on all individual will be due on all veterinarian and corporate practice renewals received after the postmarked date of March 31st each year. The renewal fee is waived for a veterinarian who is on active duty with any branch of the armed services of the United States for not to exceed three (3) years or for the duration of a national emergency, whichever is longer.

   H. Temporary permit shall be $50.00. The fee for a temporary permit is fifty dollars
$50.00).

H.I. Re-issuance of license certificate shall be $10.00. Requests must be in writing. The fee to re-issue an original license is ten dollars ($10.00) and the request must be made in writing.

I.J. All fees are non-refundable.

VETERINARY TECHNICIAN FEES: Veterinary Technicians and Veterinary Technologists:

6. The schedule for license and permit certificate fees shall be as follows:

A. Application The application fee shall be $40.00, which shall is forty dollars ($40.00) and must be paid at the time of the filing of the application for certification. An additional fee is required if taking the National Board Examination in Arkansas. The payment for this exam must be received 60 days prior to the National Board Exam date. The application fee is waived for a person applying for a certification pursuant to Ark. Code Ann. §17-1-106.

B. Veterinary Technician National Examination (VTNE) candidates must submit to the Board an application for certification, as well as submit a VTNE application and fee directly to the American Association of Veterinary State Boards.

B.C. Annual renewal of certification shall be $25.00. The annual renewal fee for certification is twenty-five dollars ($25.00).

C.D. All renewals are due by March 31st each year. Delinquent renewal fee shall be $50.00, and shall be due on all renewals received after the postmarked date of March 31st each year. The renewal fee is waived for a veterinary technician or veterinary technologist who is on active duty with any branch of the armed services of the United States for not to exceed three (3) years or for the duration of a national emergency, whichever is longer.

D.E. Re-issuance of certificate shall be $10.00. Requests must be in writing. The fee to re-issue an original certificate is ten dollars ($10.00) and the request must be made in writing.

E.F. All fees are non-refundable.
A Bill

For An Act To Be Entitled

AN ACT TO AMEND THE LAWS CONCERNING VETERINARY MEDICINE; TO ESTABLISH A VETERINARY TECHNOLOGIST CERTIFICATION AND A VETERINARY TECHNICIAN SPECIALIST CERTIFICATION; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAWS CONCERNING VETERINARY MEDICINE; AND TO ESTABLISH A VETERINARY TECHNOLOGIST CERTIFICATION AND A VETERINARY TECHNICIAN SPECIALIST CERTIFICATION.

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

SECTION 1. Arkansas Code § 17-101-102 is amended to read as follows:


As used in this chapter:

(1) "Accredited or approved college of veterinary medicine" means any veterinary college or any division of a university or college that offers the degree of Doctor of Veterinary Medicine, or its equivalent, and that conforms to the standards required for accreditation or approval by the American Veterinary Medical Association;

(2) "Animal" means any member of the animal kingdom, other than man, and includes fowl, birds, fish, and reptiles, whether wild or domestic, humans, whether living or dead;
(3) "Board" means the Veterinary Medical Examining Board;

(4)(3) "Direct supervision" or "direct personal supervision" means the licensed veterinarian must be on-site and instantly available for consultation;

(5)(4) "Educational Commission for Foreign Veterinary Graduates Certificate" means a certificate issued by the American Veterinary Medical Association Educational Commission for Foreign Veterinary Graduates indicating that the holder has demonstrated knowledge and skills equivalent to those possessed by a graduate of an accredited or approved college of veterinary medicine;

(6)(5) "Immediate supervision" means observation, in the immediate vicinity, with the opportunity for the supervising licensed veterinarian to advise or physically intervene in each procedure;

(6)(A) "Indirect supervision" means the licensed veterinarian is not physically present but has given written or oral instructions for the treatment of the animal and is readily available for communication either in person or through use of electronic information and communication technology.

(B) "Indirect supervision" does not include the administration of a Schedule II controlled substance.

(C) A veterinarian shall retain control of and authority over the care of the animal during indirect supervision;

(7) "Licensed veterinarian" means a person who is validly and currently licensed to practice veterinary medicine in this state as a general practitioner or in a specialty area as the board Veterinary Medical Examining Board may by regulation rule provide;

(8) "Person" means any individual, firm, partnership, association, joint venture, cooperative, or corporation, or any other group or combination acting in concert, and whether or not acting as principal, trustee, fiduciary, receiver, or as any kind of legal or personal representative, or as the successor in interest, assigning agent, factor, servant, employee, director, officer, or any other representative of such a person;

(9) "Practice of veterinary medicine" means:

(A) The diagnosis, treatment, correction, change, relief, or prevention of animal disease, deformity, defect, injury, or other physical or mental condition, including the prescribing or administration of any
prescription drug, medicine, biologic, apparatus, application, anesthetic, or
other therapeutic or diagnostic substance or technique on any animal,
including, but not limited to, acupuncture, dentistry, animal psychology,
animal chiropractic, theriogenology, surgery, including cosmetic surgery, any
manual, mechanical, biological, or chemical procedure for testing for
pregnancy or for correcting sterility or infertility or to tender service or
recommendations with regard to any of the above;

(B) To represent, directly or indirectly, publicly or
privately, an ability and willingness to do any act described in subdivision
(9)(A) of this section;

(C) The use of any title, words, abbreviation, or letters
in a manner or under circumstances which induce the belief that the person
using them is qualified to do any act described in subdivision (9)(A) of this
section. Such use shall be prima facie evidence of the intention to represent
oneself as engaged in the practice of veterinary medicine; and

(D) Collecting blood or other samples for the purpose of
diagnosing disease or other conditions. This shall not apply to:

(i) Unlicensed personnel employed by the United
States Department of Agriculture or the Arkansas Livestock and Poultry
Commission in disease control programs carried out under the authority of the
United States Department of Agriculture or the State of Arkansas; and

(ii) Veterinary technicians or assistants in the United
States acting under the direct or indirect supervision of a veterinarian
as set forth in § 17-101-306(b) and (c) § 17-101-306(d) except for collecting
blood samples for state or federal tests requiring that the licensed
veterinarian draw the sample;

(10) "Veterinarian" means a person who has received a
professional degree from a college of veterinary medicine or any person who
is now licensed to practice veterinary medicine in this state;

(11) "Veterinarian-client-patient relationship" means:

(A) The veterinarian has assumed the responsibility for
making medical judgments regarding the health of the animal and the need
for medical treatment, and the client, that is, the owner or caretaker, has
agreed to follow the instruction of the veterinarian;

(B)(i) There is sufficient knowledge of the animal by the
veterinarian to initiate at least a general or preliminary diagnosis of the
medical condition of the animal.

(ii) This means that the veterinarian has recently
seen and is personally acquainted with the keeping and care of the animal, by
virtue of an examination of the animal or by medically appropriate and timely
visits to the premises where the animal is kept; and

(C) The practicing veterinarian is readily available for
follow-up in case of adverse reactions or failure of the regimen or therapy;

(12) "Veterinary medicine" includes veterinary surgery,
theriogenology, dentistry, acupuncture, animal psychology, chiropractic, and
all other branches or specialties of veterinary practice;

(13) "Veterinary premises" means any place or unit from which
the practice of veterinary medicine is conducted; and

(14) "Veterinary technician" means a person who

(A) Has received a diploma an associate degree or its
equivalent from a college-level program accredited by the American Veterinary
Medical Association; and

(B) Provides veterinary services under the supervision and
direction of a licensed veterinarian who is responsible for the performance
of that veterinary technician;

(15) "Veterinary technician specialist" means a veterinary
technician or veterinary technologist who has completed a formal process of
education, training, experience, and testing through a specialty academy
approved by the Committee of Veterinary Technician Specialties of the
National Association of Veterinary Technicians in America;

(16) "Veterinary technologist" means a person who performs
veterinary technology services and is a graduate of a four-year baccalaureate
program accredited by the American Veterinary Medical Association; and

(17)(A) "Veterinary technology" means the performance of all
aspects of medical care, services, and treatment of an animal where a
veterinary-client-patient relationship has been established.

(B) "Veterinary technology" does not include diagnosis,
prognosis, surgery, or the prescription of appliances, drugs, medications, or
treatment unless otherwise determined by the board.

(C) A veterinarian shall retain control of and authority
over the care of the animal during the practice of veterinary technology.
SECTION 2. Arkansas Code § 17-101-306 is amended to read as follows:


(a) No person shall not assist in the practice of veterinary medicine under the direction, supervision, and responsibility of a veterinarian as a veterinary technician or veterinary technologist without first applying for and obtaining a certificate of qualification certification from the Veterinary Medical Examining Board as a veterinary technician and having his or her employment with a licensed veterinarian registered in accordance with board regulations with the Veterinary Medical Examining Board.

(b) A veterinary technician shall perform only those acts and duties overseen by a supervising veterinarian that are within the scope of practice of the supervising veterinarian but shall not include diagnosis, prescribing medication, treatment, or surgery in the practice of animal husbandry.

(c)(1)(b)(1) An applicant for a certificate of qualification certification as a veterinary technician or veterinary technologist in this state may make written application to the board Veterinary Medical Examining Board showing that he or she is:

(A) A citizen of the United States or an applicant for citizenship; and

(B) A person of moral integrity and acceptable ethical standards.

(2) The application for certification as a veterinary technician or veterinary technologist in the State of Arkansas shall be written, signed by the applicant, and submitted to the board Veterinary Medical Examining Board at least thirty (30) days before the examination, including, but not limited to, without limitation the information set forth in this subdivision (c)(2)(b)(2), and the application shall be accompanied by a nonrefundable application fee established by the board Veterinary Medical Examining Board:

(A) A current photograph of the applicant;

(B)(i) A copy of the applicant’s diploma or its equivalent from a college-level program accredited by the American Veterinary Medical Association.

(ii) A photocopy of the diploma is acceptable If the applicant has not graduated at the time of application, an affidavit from the
program certifying the applicant's ability to graduate may be accepted with a
copy of the diploma or its equivalent submitted upon availability;

(C) A certified copy of college transcripts;

(D) A passing score on the National Board Examination
passing score provided by the national testing agency or Veterinary
Technician National Examination, or future equivalent, reported through the
American Association of Veterinary State Boards or its successor; and

(E) A letter of recommendation signed by a licensed
veterinarian who is licensed in this state or another state, territory, or
district of the United States and notarized.

(3) This section does not prevent the Veterinary Medical
Examining Board from issuing a certification by endorsement to an applicant
who:

(A) Holds a certification, or its equivalent, as a
veterinary technician or veterinary technologist in another state, territory,
or district of the United States;

(B) Is not a respondent in any pending or unresolved board
action in any state, territory, or district of the United States;

(C) Has a passing score on the National Board Examination
or Veterinary Technician National Examination, or its future equivalent,
reported through the American Association of Veterinary State Boards or its
successor;

(D) Submits a completed application, including without
limitation a letter of recommendation that is:

(i) Signed by a veterinarian;

(ii) Notarized by a notary public; and

(iii) Accompanied by a nonrefundable application fee
established by the Veterinary Medical Examining Board; and

(E) Signs a statement attesting that he or she has read
and understands this chapter and the rules adopted by the Veterinary Medical
Examining Board governing the practice of veterinary medicine in Arkansas.

(d)(c)(1) Each certified a veterinary technician or veterinary
technologist shall annually register his or her employment with the board
Veterinary Medical Examining Board, stating:

(A) His or her name and current address;

(B) The name and office address of both his or her
employer and the supervising licensed veterinarian, and

(C) Any additional information as the board deems

necessary required by the Veterinary Medical Examining Board.

(2) Upon any change of employment as a veterinary technician or

veterinary technologist, the registration shall be considered suspended

certification is inactive until:

(A) New new employment as a veterinary technician or

veterinarian technologist has been obtained; and

(B) the board The Veterinary Medical Examining Board has

been notified in writing of the new employment.

(c) Nothing in this section shall prevent a veterinarian from

utilizing the services of an employee to perform services not requiring the

skill and judgment of a veterinary technician, which services are performed

under the direct personal supervision of the veterinarian. Such a lay

employee shall not be identified as a "veterinary technician", "animal

technician", or "technician".

(e) A veterinarian licensed under the provisions of this chapter may

not establish a separate office or clinic in a location other than his or her

regular office and place the separate office or clinic under the control or

supervision of a veterinary technician.

(g) After obtaining a degree from an accredited program in veterinary

technology, and upon completing the application form for certification in

Arkansas, the applicant will be issued a certificate of qualification.

(d)(1) A veterinary technician or veterinary technologist shall

perform veterinary technology under the direction, supervision, and

responsibility of the licensed veterinarian with which he or she is employed.

(2) Supervision of a veterinary technician or veterinary

technologist may be direct supervision, indirect supervision, or immediate

supervision.

(3) A veterinarian who utilizes indirect supervision of a

veterinary technician or veterinary technologist shall:

(A) Retain control of and authority over the care of the

animal; and

(B) Review all recordkeeping and notes documented by the

veterinary technician or veterinary technologist on the charts regarding the

care of the animal.
(e) The Veterinary Medical Examining Board shall promulgate rules to establish the appropriate level of supervision under which a veterinary technician or veterinary technologist can perform veterinary technology.

(4) (f) Every A licensed veterinarian using, supervising, or employing a registered veterinary technician or veterinary technologist shall be individually responsible and liable for the performance of the acts and omissions delegated to the veterinary technician or veterinary technologist.

(2) Nothing in this subsection shall be construed to This subsection does not relieve the a veterinary technician or veterinary technologist of any responsibility and liability for any of his or her own acts and omissions.

(g) A licensed veterinarian shall not establish a separate office or clinic in a location other than his or her regular office and place the separate office or clinic under the control or supervision of a veterinary technician or veterinary technologist.

(h)(1) This section does not prevent a licensed veterinarian from utilizing the services of an employee to perform services not requiring the skill and judgment of a veterinary technician, veterinary technologist, or veterinary technician specialist, if the services performed by the employee are under the direct personal supervision of a licensed veterinarian.

(2) An employee described under subdivision (h)(1) of this section shall not be identified as a "veterinary technician", "animal technician", "technician", "veterinary technologist", "animal technologist", "technologist", or "veterinary technician specialist".

(i) A veterinary technician, veterinary technologist, or veterinary technician specialist shall not receive a fee or other compensation for veterinary services or veterinary technology services other than the salary or other compensation paid to the veterinary technician, veterinary technologist, or veterinary technician specialist by the veterinary clinic, veterinary practice, or veterinarian where he or she is employed.

(i)(1) The Veterinary Medical Examining Board may issue additional certifications for a veterinary technician specialist.

(2) For an applicant seeking certification as a veterinary technician specialist, the Veterinary Medical Examining Board may require an initial application, application fee as determined by the Veterinary Medical Examining Board, renewal application, renewal application fee as determined
by the Veterinary Medical Examining Board, and any other relevant information determined by the Veterinary Medical Examining Board.

SECTION 3. Arkansas Code § 17-101-307(b)(6), concerning exemptions for licensing of veterinarians and veterinary technicians, is amended to read as follows:

(6) A member of the faculty of a veterinary school from performing his or her regular functions or a person from lecturing or giving instruction or demonstration at a veterinary school or in connection with a continuing education course or seminar for licensed veterinarians, or registered veterinary technicians, or veterinary technologists;

SECTION 4. Arkansas Code § 17-101-307(b)(9)(A), concerning exemptions for licensing of veterinarians and veterinary technicians, is amended to read as follows:

(9)(A) Any act, task, or function performed by a veterinary technician or veterinary technologist at the direction of and under the supervision of a licensed veterinarian, when:

(i) The veterinary technician or veterinary technologist is certified by and annually registered with the board as one being qualified by training or experience to function as an assistant to a veterinarian;

(ii) The act, task, or function is performed at the direction of and under the supervision of a licensed veterinarian in accordance with rules promulgated by the board; and

(iii) The services of the veterinary technician or veterinary technologist are limited to assisting the veterinarian in the particular fields for which the assistant he or she has been trained, and certified, and registered.

SECTION 5. Arkansas Code § 17-101-309(a)(2), concerning renewal and reinstatement of a license, certificate, and registration, is amended to read as follows:

(2) Not later than March 1 each year, the board shall mail a notice to each licensed veterinarian, and registered veterinary technician, and veterinary technologist that his or her license, registration, or
certificate will expire on March 31 and shall provide a renewal application form.

SECTION 6. Arkansas Code § 17-101-309(b) and (c), concerning renewal and reinstatement of a license, certificate, and registration, are amended to read as follows:

(b)(1) Any person may reinstate an expired license, registration, or certificate within five (5) years of its expiration by making application to the board for renewal and paying the current renewal fee along with all delinquent renewal fees.

(2) After five (5) years have elapsed since the date of expiration, a license, registration, or certificate may not be renewed, and the holder must apply for a new license, registration, or certificate and take the required examinations.

(c) The board may provide by regulation rule for waiver of payment of any renewal fee of a licensed veterinarian, registered veterinary technician, or veterinary technologist during any period when he or she is on active duty with any branch of the United States Armed Forces for not to exceed three (3) years or for the duration of a national emergency, whichever is longer.

SECTION 7. Arkansas Code § 17-101-310 is amended to read as follows:


(a)(1) Each veterinarian, registered veterinary technician, or veterinary technologist under this chapter shall be required to attend an educational program in the twelve (12) months preceding each renewal date.

(2) The postgraduate study or attendance at an institution or at an educational session approved by the Veterinary Medical Examining Board shall be considered equivalent to continuing education requirements.

(3) The board shall have the right, for good cause shown, to prescribe the type and character of postgraduate study to be done by any licensed veterinarian in order to comply with the requirements of this chapter.

(b) The board shall excuse licentiates or certificate holders, as a group or as individuals, from the annual educational requirements in any of the following instances:
(1) When no educational program meeting the requirements approved by the board is conducted within the state;
(2) When an affidavit is submitted to the board evidencing that the licensee, for good cause assigned, was prevented from attending an educational program at the proper time;
(3) In the event of an unusual emergency; or
(4) If that person holds an inactive license or certificate.

(c)(1) A veterinarian, veterinary technician, or veterinary technologist must fulfill his or her annual education requirements at his or her own expense.

(2) The registration fee for his or her annual education requirements is not included in the license fee.

SECTION 8. Arkansas Code Title 17, Chapter 101, Subchapter 3, is amended to add an additional section to read as follows:


(a) Upon written complaint by any person or on the Veterinary Medical Examining Board's own motion and after notice and hearing as prescribed in the Arkansas Administrative Procedure Act, § 25-15-201 et seq., the board may deny or suspend any certification or deny or revoke any certificate of qualification of the applicant, veterinary technologist, or veterinary technician specialist for the following conduct:

(1) Solicitation patients on behalf of a veterinarian or veterinary technician;
(2) Solicitation or receiving any form of compensation from any person other than his or her registered employer for his or her employment;
(3) Willfully or negligently disclosure a professional secret or discussing a veterinarian's diagnosis or treatment without the express permission of the veterinarian;
(4)(A) Any offense punishable by incarceration in the Department of Correction or federal prison.
(B) A copy of the record of conviction, certified by the clerk of the court entering the conviction, shall be evidence;
(5) Inability to practice as a veterinary technologist or a veterinary technician specialist with reasonable skill and safety to patients.
due to illness, the use of drugs, alcohol, narcotics, or chemicals, or as a
result of any mental or physical condition;

(6) Fraud or misrepresentation in applying for or procuring:

(A) A certificate of qualification to perform as a
veterinary technologist or veterinary technician specialist in Arkansas; or
(B) An annual employment registration;

(7) Impersonation of another person registered as a veterinary
technologist or veterinary technician specialist or authorization of any
person to use his or her certificate of qualification or registration;

(8) Aids or abets the practice of veterinary medicine by a
person not licensed by the board;

(9) Incompetence, gross negligence, or other malpractice in the
performance of duties, tasks, or functions assigned to him or her by a
licensed veterinarian;

(10) Incapacity or incompetence to perform as a veterinary
technologist or veterinary technician specialist;

(11) Cruelty to animals;

(12) Failure:

(A) Of any applicant or licensee to cooperate with the
board during any investigation, if the investigation does not concern the
applicant or licensee;

(B) To comply with any subpoena or subpoena duces tecum
from the board or an order of the board; or

(C) To timely pay certification or renewal fees; or

(13) Unprofessional conduct or conduct that is detrimental to
the best interests of the public.

(b) At the discretion of the board, a person whose certificate of
qualification is suspended or revoked by the board under this section may be:

(1) Recertified or reinstated by the board at any time upon
written application to the board showing cause to justify recertification or
reinstatement; and

(2) Subject to civil penalties under § 17-101-311 as determined
by the board.
State of Arkansas

92nd General Assembly

Regular Session, 2019

By: Senators Irvin, T. Garner, J. Hendren, D. Wallace
By: Representative Bentley

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE OCCUPATIONAL LICENSURE OF ACTIVE DUTY SERVICE MEMBERS, RETURNING MILITARY VETERANS, AND THEIR SPOUSES; TO PROVIDE AUTOMATIC LICENSURE; TO REQUIRE REVIEW AND APPROVAL OF RULES SUBMITTED BY OCCUPATIONAL LICENSING ENTITIES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE OCCUPATIONAL LICENSURE OF ACTIVE DUTY SERVICE MEMBERS, RETURNING MILITARY VETERANS, AND THEIR SPOUSES; TO PROVIDE AUTOMATIC LICENSURE; TO REQUIRE REVIEW AND APPROVAL OF RULES SUBMITTED.

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

SECTION 1. DO NOT CODIFY. Legislative Intent.
The General Assembly finds that:

(1) The current law regarding the issuance of licenses, certificates, and permits required to enable the holder to lawfully engage in a profession, trade, or employment in this state continues to constitute a hardship on active duty service members, returning military veterans, and their spouses;

(2) Acts 2017, No. 248, amended the law to require that all state boards and commissions promulgate rules to expedite the process and
procedures for full licensure, certification, or permitting for active duty
service members, returning military veterans, and their spouses;

(3) State boards and commissions required to promulgate rules by
Acts 2017, No. 248, have failed to do so in accordance with the law; and

(4) Automatic licensure is necessary to remedy these hardships
and allow active duty service members, returning military veterans, and their
spouses to engage in their chosen professions.

Section 2. Arkansas Code § 17-1-106 is amended to read as follows:
17-1-106. Licensure, certification, or permitting of Automatic
licensure for active duty service members, returning military veterans, and
spouses - Definition Definitions.

(a) As used in this section;

(1) "Automatic licensure" means the granting of occupational
licensure without an individual's having met occupational licensure
requirements provided under this title or by the rules of the occupational
licensing entity;

(2) "Occupational licensing entity" means an office, board,
commission, department, council, bureau, or other agency of state government
having authority to license, certify, register, permit, or otherwise
authorize an individual to engage in a particular occupation or profession;

(3) "Occupational licensure" means a license, certificate,
registration, permit, or other form of authorization required by law or rule
that is required for an individual to engage in a particular occupation or
profession; and

(4) "Returning military veteran" means a former member
of the United States Armed Forces who was discharged from active duty under
circumstances other than dishonorable.

(b)(1) A state board or commission that issues licensees, certificates,
or permits required to enable the holder to lawfully engage in a profession,
trade, or employment in this state An occupational licensing entity shall
allow grant the following individuals to secure employment with a temporary
license, certificate, or permit while completing the application process for
full licensure or certification or permitting automatic licensure to engage
in an occupation or profession if the to an individual who is the holder in
good standing of a substantially equivalent license, certificate, or permit
occupational license issued by another state, territory, or district of the United States and is:

(1)(A) An active duty military service member stationed in the State of Arkansas;

(2)(B) A returning military veteran applying for licensure within one (1) year of his or her discharge from active duty; or

(3)(C) The spouse of a person under subdivisions (b)(1)
(b)(1)(A) and (2) (b)(1)(B) of this section.

(2) However, an occupational licensing entity shall be required to provide automatic licensure if the proposed rules are not approved as required under subsection (d)(2) of this section.

(c) A state board or commission shall expedite the process and procedures for full licensure, certification, or permitting for the following individuals:

(1) An active duty military service member stationed in the State of Arkansas;

(2) A returning military veteran applying within one (1) year of his or her discharge from active duty; or

(3) The spouse of a person under subdivisions (e)(1) and (2) of this section.

(d) When considering an application for full licensure, certification, or permitting for an active duty military service member stationed in the State of Arkansas or a returning military veteran applying within one (1) year of his or her discharge from active duty, a state board or commission:

(1) Shall consider whether or not the applicant's military training and experience in the area of licensure, certification, or permitting is substantially similar to experience or education required for licensure, certification, or permitting; and

(2) Shall accept the applicant's military training and experience in the area of licensure, certification, or permitting in lieu of experience or education required for licensure, certification, or permitting if the state board or commission determines the military training and experience is a satisfactory substitute for the experience or education required for licensure, certification, or permitting.

(e) A license, certificate, or permit required to enable the holder to
lawfully engage in a profession, trade, or employment in this state held by
an active duty military service member deployed outside the State of Arkansas
or his or her spouse shall not expire until one hundred eighty (180) days
following the active duty military service member’s or spouse’s return from
active deployment.

(f)(1) A state board or commission shall allow a full or partial
exemption from continuing education required as part of licensure,
certification, or permitting for a profession, trade, or employment in this
state for the following individuals:

(A) An active duty military service member deployed
outside of the State of Arkansas;

(B) A returning military veteran within one (1) year of
his or her discharge from active duty; or

(C) The spouse of a person under subdivisions (f)(1) and
(2) of this section.

(2) A state board or commission allowing a full or partial
exemption from continuing education required under subdivision (f)(1) of this
section may require evidence of completion of continuing education before
issuing the individual a subsequent license, certificate, or permit or
authorizing the renewal of a license, certificate, or permit.

(g) All state boards and commissions shall promulgate rules necessary
to carry out the provisions of this section.

An occupational licensing entity may submit proposed rules recommending
an expedited process and procedure for occupational licensure instead of
automatic licensure as provided under subsection (b) of this section to the
Administrative Rules and Regulations Subcommittee of the Legislative Council.

(d) The Administrative Rules and Regulations Subcommittee of the
Legislative Council shall:

(1) Review the proposed rules of an occupational licensing
entity as submitted for public comment and at least thirty (30) days before
the public comment period ends under the Arkansas Administrative Procedure
Act, § 25-15-201 et seq.; and

(2) Approve the proposed rules submitted under subsection (c)
based on:

(A) A determination of whether the expedited process and
procedure provide the least restrictive means of accomplishing occupational
licensure; and

(B) Any other criteria the Administrative Rules and
Regulations Subcommittee of the Legislative Council determines necessary to
achieve the objectives of this section.

(e) The Administrative Rules and Regulations Subcommittee of the
Legislative Council may:

(1) Establish a subcommittee to assist in the duties assigned
under this section;

(2) Assign information filed with the Administrative Rules and
Regulations Subcommittee of the Legislative Council under this section to one
(1) or more subcommittee of the Legislative Council, including without
limitation a subcommittee created under subdivision (e)(1) of this section;
or

(3) Delegate its duties under this section to one (1) or more
subcommittees of the Legislative Council, subject to final review and
approval of the Administrative Rules and Regulations Subcommittee of the
Legislative Council.

(f) An occupational licensing entity shall:

(1) Submit proposed rules authorized under subsection (c) of
this section to the Administrative Rules and Regulations Subcommittee of the
Legislative Council for review and approval before the proposed rules are
promulgated under the Arkansas Administrative Procedure Act, § 25-15-201 et
seq.; and

(2) Provide to the House Committee on Aging, Children and Youth,
Legislative and Military Affairs an annual report stating the number of
automatic licenses and expedited occupational licenses granted under this
section to:

(A) Active duty military service members stationed in the
State of Arkansas;

(B) Returning military veterans applying within one (1)
year of his or her discharge from active duty; or

(C) The spouse of a person under subdivisions (f)(2)(A)
and (f)(2)(B) of this section.

SECTION 3. TEMPORARY LANGUAGE. DO NOT CODIFY. An occupational
licensing entity proposing rules recommending an expedited process and
procedure for occupational licensure instead of automatic licensure as provided under § 17-1-106(b) to the Administrative Rules and Regulations Subcommittee of the Legislative Council shall complete the review and approval process of the proposed rules required by § 17-1-106 within one (1) year of the effective date of this act.

/s/ Irvin

APPROVED: 4/9/19