

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

As Engrossed: H3/11/15 H3/17/15

# A Bill

HOUSE BILL 1823

5 By: Representative Dotson  
6 By: Senator Hester  
7

## For An Act To Be Entitled

8  
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

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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) Is a resident of this state or will be a resident of this  
6 state when he or she practices the profession for which he or she is seeking  
7 licensure, registration, or certification;

8 (2) Demonstrates that he or she:

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

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

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

14 (i) An act of bad faith; or

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

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

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

19 (3) Pays any reinstatement fee required by law.

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

22 (1) Proficiency testing;

23 (2) Letters of recommendation; or

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

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

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

34 (e) A person shall not be required to comply with requirements under  
35 this section to obtain reinstatement of his or her license, registration, or  
36 certification if the person:

1 (1) Meets the requirements for reciprocity; and

2 (2) Is not a resident of this state.

3 (f) If a criminal background check is required of a person currently  
4 holding a license, registration, or certification, then the licensing entity  
5 may require a person seeking reinstatement under this section to meet the  
6 same criminal background check requirements as the person currently holding a  
7 license, registration, or certification.

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

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15 /s/Dotson  
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