

House Engrossed Senate Bill

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

CHAPTER 240

SENATE BILL 1458

AN ACT

AMENDING TITLE 32, CHAPTER 43, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-4302; RELATING TO PROFESSION AND OCCUPATION REGULATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 32, chapter 43, article 1, Arizona Revised Statutes,
3 is amended by adding section 32-4302, to read:

4 32-4302. Out-of-state applicants; reciprocity

5 A. NOTWITHSTANDING ANY OTHER LAW, A LICENSE OR CERTIFICATE SHALL BE
6 ISSUED, IN THE DISCIPLINE APPLIED FOR AND AT THE SAME PRACTICE LEVEL AS
7 DETERMINED BY THE REGULATING ENTITY, PURSUANT TO THIS TITLE WITHOUT AN
8 EXAMINATION TO A PERSON WHO IS MARRIED TO AN ACTIVE DUTY MEMBER OF THE ARMED
9 FORCES OF THE UNITED STATES AND WHO IS ACCOMPANYING THE MEMBER TO AN OFFICIAL
10 PERMANENT CHANGE OF STATION TO A MILITARY INSTALLATION LOCATED IN THIS STATE
11 IF ALL OF THE FOLLOWING APPLY:

12 1. THE PERSON IS CURRENTLY LICENSED OR CERTIFIED IN AT LEAST ONE OTHER
13 STATE IN THE DISCIPLINE APPLIED FOR AND AT THE SAME PRACTICE LEVEL AS
14 DETERMINED BY THE REGULATING ENTITY AND THE LICENSE OR CERTIFICATION IS IN
15 GOOD STANDING IN ALL STATES IN WHICH THE PERSON HOLDS A LICENSE OR
16 CERTIFICATION.

17 2. THE PERSON HAS BEEN LICENSED OR CERTIFIED BY ANOTHER STATE FOR AT
18 LEAST ONE YEAR. IF THE PERSON HAS BEEN LICENSED OR CERTIFIED FOR FEWER THAN
19 FIVE YEARS, THE REGULATING ENTITY MAY REQUIRE THE PERSON TO PRACTICE UNDER
20 THE DIRECT SUPERVISION OF A LICENSEE OR CERTIFICATE HOLDER IN THE PRACTICE
21 AREA IN THIS STATE.

22 3. WHEN THE PERSON WAS LICENSED OR CERTIFIED BY ANOTHER STATE THERE
23 WERE MINIMUM EDUCATION REQUIREMENTS AND, IF APPLICABLE, WORK EXPERIENCE AND
24 CLINICAL SUPERVISION REQUIREMENTS IN EFFECT AND THE OTHER STATE VERIFIES THAT
25 THE PERSON MET THOSE REQUIREMENTS IN ORDER TO BE LICENSED OR CERTIFIED IN
26 THAT STATE.

27 4. THE PERSON PREVIOUSLY PASSED AN EXAMINATION REQUIRED FOR THE
28 LICENSE OR CERTIFICATION.

29 5. THE PERSON HAS NOT HAD A LICENSE OR CERTIFICATE REVOKED AND HAS NOT
30 VOLUNTARILY SURRENDERED A LICENSE OR CERTIFICATE IN ANY OTHER STATE OR
31 COUNTRY WHILE UNDER INVESTIGATION FOR UNPROFESSIONAL CONDUCT.

32 6. THE PERSON HAS NOT HAD DISCIPLINE IMPOSED BY ANY OTHER REGULATING
33 ENTITY. IF ANOTHER JURISDICTION HAS TAKEN DISCIPLINARY ACTION AGAINST THE
34 PERSON, THE REGULATING ENTITY SHALL DETERMINE IF THE CAUSE FOR THE ACTION WAS
35 CORRECTED AND THE MATTER RESOLVED. IF THE MATTER HAS NOT BEEN RESOLVED BY
36 THAT JURISDICTION, THE REGULATING ENTITY MAY NOT ISSUE OR DENY A LICENSE
37 UNTIL THE MATTER IS RESOLVED.

38 7. THE PERSON DOES NOT HAVE A COMPLAINT, ALLEGATION OR INVESTIGATION
39 PENDING BEFORE ANOTHER REGULATING ENTITY IN ANOTHER STATE OR COUNTRY THAT
40 RELATES TO UNPROFESSIONAL CONDUCT. IF AN APPLICANT HAS ANY COMPLAINTS,
41 ALLEGATIONS OR INVESTIGATIONS PENDING, THE REGULATING ENTITY IN THIS STATE
42 SHALL SUSPEND THE APPLICATION PROCESS AND MAY NOT ISSUE OR DENY A LICENSE TO
43 THE APPLICANT UNTIL THE COMPLAINT, ALLEGATION OR INVESTIGATION IS RESOLVED.

44 8. THE PERSON PAYS ALL APPLICABLE FEES.

1 B. THIS SECTION DOES NOT PREVENT A REGULATING ENTITY UNDER THIS TITLE
2 FROM ENTERING INTO A RECIPROCITY AGREEMENT WITH ANOTHER STATE OR JURISDICTION
3 FOR PERSONS MARRIED TO ACTIVE DUTY MEMBERS OF THE ARMED FORCES OF THE UNITED
4 STATES, EXCEPT THAT THE AGREEMENT MAY NOT ALLOW OUT-OF-STATE LICENSEES OR
5 CERTIFICATE HOLDERS TO OBTAIN A LICENSE OR CERTIFICATE BY RECIPROCITY IN THIS
6 STATE IF THE APPLICANT HAS NOT MET STANDARDS THAT ARE SUBSTANTIALLY
7 EQUIVALENT TO OR GREATER THAN THE STANDARDS REQUIRED IN THIS STATE AS
8 DETERMINED BY THE REGULATING ENTITY ON A CASE-BY-CASE BASIS.
9 C. THIS SECTION DOES NOT APPLY TO A REGULATING ENTITY UNDER THIS TITLE
10 THAT HAS ENTERED INTO A LICENSING COMPACT WITH ANOTHER STATE FOR THE
11 REGULATION OF PRACTICE UNDER THE REGULATING ENTITY'S JURISDICTION.

APPROVED BY THE GOVERNOR APRIL 25, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 25, 2011.

Passed the House April 18, 20 11,

Passed the Senate March 2, 20 11,

by the following vote: 59 Ayes,

by the following vote: 30 Ayes,

0 Nays, 1 Not Voting

0 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

Cheryl Laube
Chief Clerk of the House

[Signature]
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this
_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

S.B. 1458

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State
this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 19, 20 11

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

20 day of April, 20 11

at 12:00 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 25th day of

April

at 12:50 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 25th day of April, 20 11

S.B. 1458

at 2:45 o'clock P. M.

[Signature]
Secretary of State