

# An Act

ENROLLED HOUSE  
BILL NO. 2873

By: Wallace and Fugate of the  
House

and

Leewright and Bergstrom of  
the Senate

An Act relating to professions and occupations; creating the Universal Licensing Recognition Act; providing for issuance of licenses for certain applicants; defining term; providing for qualifications for reciprocity; allowing regulating entities to enter into certain agreements; subjecting licensed individuals to certain jurisdiction; stating validity of licensure; prohibiting licensure reciprocity unless authorized by regulating entity; providing exceptions to licensing qualifications; providing for residency requirements; providing for issuance of license under certain circumstances; disallowing licensure unless certain standards are met; providing for construing of act; providing for codification; and providing an effective date.

SUBJECT: Professions and occupations

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4150 of Title 59, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Universal Licensing Recognition Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4150.1 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created professional and occupational licensing recognition for the issuance of licenses for applicants moving to and residing in Oklahoma. Unless otherwise provided by law, this act shall not apply to any laws authorizing reciprocity including interstate compacts, state-to-state reciprocal agreements and other state-to-state equivalency provisions pertaining to licensees and certificate holders and applicants from other states. For purposes of this act, "Oklahoma regulatory entity" means any administrative body or official with authority over any occupational or professional license or certification in this state.

B. A person moving to and residing in Oklahoma may make application for licensing or certification pursuant to the Universal Licensing Recognition Act if there is no conflict with any interstate compact or state-to-state reciprocity or equivalency agreements as determined by the Oklahoma regulatory entity. When an applicant moves from a state with or without statewide licensing or certification in the discipline applied for and at the same practice level as determined by the Oklahoma regulating entity pursuant to this act and such applicant establishes verifiable proof of physical residency in this state or is married to and accompanying an active duty member of the Armed Forces of the United States to an official permanent change of station to a military installation located in this state and such spouse is not making application pursuant to the Military Service Occupation, Education and Credentialing Act, all of the following shall apply:

1. The out-of-state applicant is a person who is currently licensed or certified by another state with similar scope of work through substantially similar or equivalent licensure or certification standards of examination, minimum education requirements and, if applicable, professional work experience, education training and clinical supervision requirements and the other state verifies that the person met these requirements in order to be licensed or certified in that state, the out-of-state state license or certification is and has been maintained in good standing in all states in which the person holds a license or certification for at least one (1) year before making application to Oklahoma under this act, and there is no Oklahoma statutory authority under Title 59 of the Oklahoma Statutes for license reciprocity or interstate compact with Oklahoma in the professional discipline applied for and at the same practice level as determined by the Oklahoma regulating entity;

2. The person demonstrates verifiable proof as determined by the Oklahoma regulating entity of having work experience, education training and clinical supervision, as applicable, in the scope of work of the lawful profession for the same amount of time required for Oklahoma in-state applicants;

3. Except for Oklahoma regulating entities with statewide licensing and certifications under an interstate licensing compact or state-to-state reciprocal licensing agreement providing parity among the states and having substantially similar training or work requirements, the Oklahoma regulating entity shall apply all substantially similar and verifiable professional work experience, education training and clinical supervision in the manner most favorable towards satisfying any professional work experience, education training and clinical supervision qualifications for issuance of the requested license or certification that facilitates recognition among states for licensing in the discipline applied for and at the same practice level as determined by the Oklahoma regulating entity pursuant to the requirements of the state license or certification;

4. The person demonstrates a successful passage of an equivalent or substantially similar examination from another state or the examination for the Oklahoma examination requirement as determined by the Oklahoma regulatory entity;

5. The person pays all applicable fees, not exceeding the cost of current in-state licensure fees;

6. The person making application demonstrates verifiable proof that the person has not had and is free of any pending complaint, investigation, suspension, revocation, voluntary surrender pending investigation or resolution of complaint, or discipline imposed by any other regulating entity or jurisdiction for unprofessional conduct involving the applicant's out-of-state work or any other state license or certification directly related to the application as determined by the Oklahoma regulating entity;

7. If another jurisdiction has taken disciplinary action against the person, the originating regulating entity or jurisdiction is to determine if the cause for the action was corrected and the matter resolved with the information made accessible and reported to Oklahoma. If the matter has not been resolved by that jurisdiction, the Oklahoma regulating entity will hold an application until the matter is resolved but not longer than

one (1) year from the time of application at which time the Oklahoma regulating entity will deny the application unless notified of extraordinary circumstances warranting a one-time six-month extension before the application is to be approved or denied;

8. Upon licensure or certification under this act, the licensee or certificate holder shall report to the Oklahoma regulatory entity any final determination on disciplinary actions, resignations pending discipline, suspensions or revocations imposed by the originating jurisdiction within thirty (30) days; and

9. If state law other than this act requires a review of disqualifying criminal history records for a certain license or certification, the person shall demonstrate verifiable proof pursuant to the laws of Oklahoma that there is no disqualifying criminal history, pursuant to the criminal justice reform provisions limiting criminal history prohibitions at Section 4000.1 of Title 59 of the Oklahoma Statutes, and as determined by the Oklahoma regulating entity.

C. This section shall not prevent an Oklahoma regulating entity from entering into an interstate compact or state-to-state reciprocity agreement or other equivalency agreement with another state or jurisdiction to facilitate recognition, except that the agreement shall not allow out-of-state licensees or certificate holders to obtain a license or certificate by reciprocity in Oklahoma if the applicant has not met standards that are substantially similar or equivalent to the standards required for Oklahoma as determined by the Oklahoma regulating entity in compliance with the statutory and regulatory authority of the Oklahoma regulating entity.

D. A person who is licensed pursuant to this act is subject to the laws regulating the person's practice and license or certification in Oklahoma and is subject to the Oklahoma regulating entity's jurisdiction.

E. A statewide professional or occupational license or certificate issued pursuant to this act is valid only in Oklahoma. It shall not make the person obtaining licensure or certification under this act eligible to work in another state under an interstate compact or state-to-state reciprocity agreement unless specifically authorized for the profession applied for and at the same practice level as determined by the Oklahoma regulating entity pursuant to the requirements of this act.

F. This act shall not apply to:

1. Requirements for a criminal history background check; and

2. Criteria for a license, permit or certificate of eligibility that is established by an interstate compact or state-to-state reciprocal agreement.

G. For purposes of this act, residency may be established by demonstrating verifiable proof of a state-issued identification card and one of the following if the document contains the name and physical address of the person making application:

1. Current Oklahoma residential utility bill;

2. Documentation of filing a tax return with the Oklahoma Tax Commission as a resident of Oklahoma;

3. Documentation of current ownership, or current lease for a term of at least twelve (12) months, of a primary place of residence in Oklahoma;

4. Documentation of current in-state employment or notarized letter of promise of employment of the applicant or his or her spouse; or

5. Any other verifiable documentation demonstrating Oklahoma residency as determined by the Oklahoma regulating entity.

H. Nothing in this act shall allow any person to obtain a license or certification without satisfying substantially similar or equivalent requirements for in-state licensure or certification.

I. When an out-of-state applicant has complied with the requirements of Title 59 of the Oklahoma Statutes as determined by the Oklahoma regulatory entity and is not excluded from obtaining an Oklahoma license or certification by any provision of this act, the Oklahoma regulatory entity shall issue the appropriate license or certification.

J. Nothing in this act shall be construed to prohibit a person from applying for a statewide professional or occupational license or certification under another statute or rule in Oklahoma.

K. Nothing in this act shall be construed to prevent licensing or certification compacts or reciprocity agreements with another state or jurisdiction.

L. This act shall be applied in a manner that increases recognition of licensure and certification among states without any right of an applicant to become licensed or certified in Oklahoma.

SECTION 3. This act shall become effective November 1, 2021.

Passed the House of Representatives the 3rd day of March, 2021.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 21st day of April, 2021.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_