

Military Spouse Licensure Portability Examination State Report

NEW YORK

Summary of Legislation

Enacted in 2016, Session Law of 2016, Chapter 299 states that military spouses who are married to Active Duty and National Guard or Reserve Service members are “afforded an expedited review” of their licensure applications. The law allows *each* occupational board to determine if the requirements for licensure from where the spouse previously resided are equivalent to the requirements in New York. The law also indicates that all initial licensure application fees are to be reduced by half for military spouses.

Location of Statute:

Chapter 299 - <https://legiscan.com/NY/text/A04394/2015>

Legislation Meets Best Practices Guidelines for Military Spouse Licensure Portability by:

<input type="radio"/>	Licensure by endorsement
<input checked="" type="radio"/>	Temporary or provisional licensing
<input checked="" type="radio"/>	Expedited application process
<input type="radio"/> Not addressed in legislation <input checked="" type="radio"/> Addressed in legislation	

Results from Data Collection

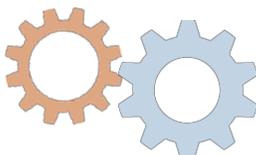
General Findings

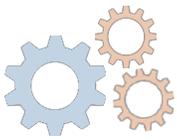
- The New York State Education Department’s Office of the Professions offers three accommodations for military spouses: expedited applications, initial application fees that are reduced by half, and temporary licenses while spouses are waiting for their applications to be approved. However, these accommodations do not apply to cosmetology or real estate licenses.
- The Real Estate Commission uses its own form to identify military spouse applicants so that spouses receive accommodations during the license transfer process (see relevant section below).
- Staff at the Occupational Therapy, Dental, and Mental Health Counseling boards and Real Estate Commission were aware of at least one accommodation available for military spouses.
- No information was available about how many military spouses have transferred their licenses in the last year.
- No board has a person who serves as a point of contact to help military spouses with the application process.

Findings Specific to Each Board

Cosmetology

- Twenty-one states have reciprocity status. To benefit, spouses will need to have an active license and one to five years of experience (depending on the state).
- Six states (NH, NM, OR, UT, WV, and WY) have licensure by endorsement where spouses only need an active license to transfer their license.
- Once spouses submit verification forms, they are issued a license in four to six weeks.





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Results from Data Collection (continued)

Dental Hygiene

- Spouses are eligible to transfer their licenses if they have been licensed and in practice for the previous two years.
- Once they submit their application, along with verification of a previous license in good standing, spouses' applications are processed in four to six weeks.

Massage Therapy

- Spouses are eligible to transfer their licenses if they have been in practice during the previous two years, have obtained cardiopulmonary resuscitation (CPR) certification within the past three years, and have a license in good standing from another jurisdiction.
- Once spouses submit their applications, a license is typically issued in two to three weeks.

Mental Health Counseling

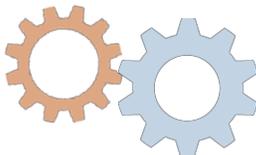
- Spouses are eligible for reduced application fees once they submit paperwork indicating their status as a military spouse.
- To transfer their licenses, spouses must have been in practice for five of the last ten years and submit verification that they were in practice; in addition, spouses must have passed the National Board of Certified Counselors (NBCC) exam and submit proof of a license from a previous jurisdiction.
- The board can issue temporary licenses for spouses who have not met the examination or supervised hours requirements. Spouses have two years to complete the NBCC exam and obtain at least 3,000 supervised hours.
- Once spouses submit their completed application, their permanent license is issued in four to eight weeks.

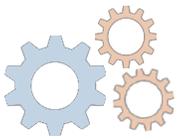
Occupational Therapy

- Spouses are eligible to transfer their licenses if they have a degree in occupational therapy, passed the National Board of Certification in Occupational Therapy (NBCOT) exam, and have at least six months of supervised occupational therapy experience.
- If spouses request a temporary license, they are usually issued within one week. Once the application is completed, permanent licenses are issued in six to eight weeks.

Real Estate Commission

- Spouses benefit from an expedited application process (three weeks) and a reduction of the requirements for continuing education units (CEUs) by half. For example, instead of needing 22 hours of CEUs, military spouses only need 11 hours.
- Spouses who are accepted by a real estate broker in New York and have a license in good standing from another jurisdiction are issued a permanent license. If they do not have the minimum CEU requirements, they have up to two years to fulfill those requirements and can practice under their permanent license as they earn CEUs.





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Recommendations

Future efforts could:

- Advocate for more uniform guidelines on how boards can determine if spouses' requirements from a previous state are substantially equivalent.
- Encourage regular trainings for occupational board staff about the accommodations afforded to military spouses' license portability.

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