

## Substitute for HOUSE BILL No. 2178

By Committee on Federal and State Affairs

3-16

---

1 AN ACT concerning licenses and permits; relating to nonresident military  
2 spouses.

3

4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) Notwithstanding any other provision of law, any  
6 licensing body, as defined by K.S.A. 74-146, and amendments thereto,  
7 shall, upon application, issue a license to a nonresident military spouse, so  
8 that the nonresident military spouse may lawfully practice the person's  
9 occupation.

10 (b) A nonresident military spouse shall receive a license under  
11 subsection (a) of this section:

12 (1) pursuant to applicable licensure by endorsement or reciprocity  
13 statutes of the licensing body of this state for the profession license; or

14 (2) if the professional practice act does not have licensure by  
15 endorsement or reciprocity statutes, then, at the time of application, the  
16 military spouse:

17 (A) Holds a current license in another state, district or territory of the  
18 United States with licensure requirements that the licensing body  
19 determines are equivalent to those established by the licensing body of this  
20 state;

21 (B) has not committed an act in any jurisdiction that would have  
22 constituted grounds for the limitation, suspension or revocation or that the  
23 applicant has never been censured or had other disciplinary action taken or  
24 had an application for licensure denied or refused to practice an occupation  
25 for which the military spouse seeks licensure;

26 (C) has not been disciplined by a licensing or credentialing entity in  
27 another jurisdiction and is not the subject of an unresolved complaint,  
28 review procedure or disciplinary proceeding conducted by a licensing or  
29 credentialing entity in another jurisdiction nor has surrendered their  
30 membership on any professional staff in any professional association or  
31 society or faculty for another state or licensing jurisdiction while under  
32 investigation or to avoid adverse action for acts or conduct similar to acts  
33 or conduct which would constitute grounds for disciplinary action in a  
34 Kansas practice act;

35 (D) pays any fees required by the licensing body of this state; and

1 (E) submits with the application a signed affidavit stating that the  
2 application information, including necessary prior employment history, is  
3 true and accurate. Upon receiving such affidavit, the licensing body shall  
4 issue the license to the military spouse on a probationary basis, but may  
5 revoke the license at any time if the information provided in the  
6 application is found to be false.

7 (c) Any person who has not been in the active practice of the  
8 occupation during the two years preceding the application for which the  
9 applicant seeks a license may be required to complete such additional  
10 testing, training, mentoring, monitoring or education as the Kansas  
11 licensing body may deem necessary to establish the applicant's present  
12 ability to practice with reasonable skill and safety.

13 (d) A nonresident military spouse licensed under this section shall be  
14 entitled to the same rights and subject to the same obligations as are  
15 provided by the licensing body for Kansas residents, except that revocation  
16 or suspension of a nonresident military spouse's license in the nonresident  
17 military spouse's state of residence or any jurisdiction in which the  
18 nonresident military spouse held licensure shall automatically cause the  
19 same revocation or suspension of such nonresident military spouse's  
20 license in Kansas. No hearing shall be granted to a nonresident licensee  
21 where the license is subject to such automatic revocation or suspension  
22 except for the purpose of establishing the fact of revocation or suspension  
23 of the nonresident military spouse's license by the nonresident military  
24 spouse's state of residence.

25 (e) For the purposes of this section, "military spouse" means the  
26 spouse of an individual who is currently in active service in any branch of  
27 the armed forces of the United States.

28 (f) This section shall not apply to the practice of law or the regulation  
29 of attorneys pursuant to K.S.A 7-703, and amendments thereto.

30 Sec. 2. This act shall take effect and be in force from and after its  
31 publication in the statute book.

32