

Governor's Commission on Military Spousal Licensure

Recommendations to Governor Earl Ray Tomblin

Adopted by Commission on December 17, 2013

Background: One of the greatest challenges facing military families is the frequency with which service members are required to relocate across state lines. Many spouses of U.S. military members have difficulties transitioning through bureaucracy to obtain a professional license. On April 11, 2013, Executive Order No. 4-13 created the Governor's Commission on Military Spousal Licensure (the "Commission") to analyze, review and report to the Governor new and innovative ways for the State of West Virginia to better assist military spouses whose profession requires licensure. The Commission members met on August 22, 2013, September 26, 2013, and November 14, 2013, to hear presentations from various professional licensing boards in West Virginia and work on recommendations to assist military families.

Recommendation: The Commission recommends that the Governor submit legislation during the 2014 Legislative Session providing for temporary licensure options for military spouses so military spouses can begin working in West Virginia within a month of applying for a license, while going through normal process to obtain a permanent license. Because individual boards face different challenges, they should be provided rulemaking authority to customize temporary licensure to ensure appropriate oversight and public safety.

The Commission recommends that submitted legislation include the following:

1. **Temporary licensure.** The bill should require boards to offer 6-month temporary licenses to military spouses under certain conditions and pursuant to board-specific rulemaking authority allowing for customization of process.
 - o Conditions for temporary licensure applications should include (1) a completed application and fee; (2) proof of marriage to an active duty military member; (3) proof of existing valid professional license outside of WV; and (4) proof of residence or duty station in WV.
2. **Fee waivers.** The bill should provide fee waivers where an applicant paid a fee for an out-of-state license within 6 months of the temporary license application.
3. **Allow background checks.** The bill should allow boards to require background checks of temporary licensure applicants and deny an application for temporary licensure based on public safety concerns with the applicant.
4. **Create a new article in Chapter 30 related to military issues.** The bill should create a new article combining existing provisions relating to professional boards and the military (including W. Va. Code §§ 30-1-6a and 30-1-6b) with new provisions recommended by the Commission.