

Report to the Legislature

Implementing a Military Abeyance Process for Licenses

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Executive Summary

Military personnel who hold professional licenses may be stationed outside Washington or overseas for a period of time, making license renewal difficult or untimely. In the 2008 supplemental budget, the Washington State Legislature directed the Department of Health (DOH) and the Department of Licensing (DOL) to jointly review and recommend a process to put a professional license in abeyance for active duty military personnel who have been deployed to another state or country.

Placing a license in abeyance means the license is in an inactive status, however, it will not expire, and will not accrue fees or penalties. The license holder cannot practice their profession while their license is in an abeyance status, which is usually requested by the license holder to keep the license from expiring. This differs from revocation or suspension, which can be construed as disciplinary.

While DOL and DOH are not the only agencies who issue professional licenses, they are responsible for the bulk of professional licensing programs. Across the state, licenses or certificates are issued by the Board of Accountancy, Office of the Insurance Commissioner, Department of Social and Health Services, Liquor Control Board, Labor and Industries, Department of Early Learning, Department of Agriculture, Department of Financial Institutions, Department of Ecology, Fish and Wildlife, Washington State Patrol, and Secretary of State, among others.

The recommendations and report are due to the legislature by December, 2008. DOH convened meetings with DOL and each agency researched current policies or processes for their professions relating to military personnel placed on active duty status. Because each agency licenses different types of professions, uses a separate data system, and operates under different organic statutes, each agency reviewed their policies individually.

Current Processes

Department of Health

The division within DOH responsible for regulating health professions is Health Systems Quality Assurance (HSQA). HSQA has a procedure to place active duty service members in a military status known as "M" status. DOH places licensed service members in "M" status when they provide a copy of their service orders. While in "M" status, DOH does not issue renewals or charge renewal fees.

DOH regulates more than 300,000 health practitioners in 70 professions. There are currently 496 health profession licensees in military status. When the military service

member is activated or deployed; they notify DOH and request that their license is placed in “M” status.

After discharge, military service members have six months to reactivate and update their license. They provide DOH with a copy of their discharge orders and pay the renewal fee. Late fees are not assessed. Regular procedures for renewal cycles and continuing education apply after the first post-discharge update. If the practitioner does not renew within six months after discharge, the credential expires.

Department of Licensing

This review was not directed to, and is not inclusive of, DOL’s driver or vehicle licenses, but was directed only to professional licenses (also referred to as occupational licenses).

The Business and Professions Division (BPD) within the Department of Licensing (DOL) is responsible for regulating over 30 professional licensing programs with 153,000 active, professional licensees. BPD has procedures within each program area that outline the use of either an “inactive” or military status when a person is deployed, which equates to putting the license in an abeyance status. Each professional licensing program handles their own licenses on a case by case basis, and processes and procedures are kept in desk manuals.

A person can be in the active duty military, the National Guard, or in the Reserves and not be “deployed.” When the person is deployed, they are sent away from their normal duty station. A deployment can occur stateside or to another country. DOL’s term “inactive” is for their internal process. DOL currently has 46 individuals with professional licenses in military status, but cannot identify the number of licenses “inactivated” for military personnel.

Military service members have six months to update their credentials after they return from deployment. They provide a copy of their orders and pay the renewal fee. Late fees are not assessed. Regular procedures for license renewal, including continuing education, apply after the first post-deployment update. Currently, if the licensee does not activate or renew their credential within six months, regular program provisions apply.

Recommendations

Department of Health

DOH has an established procedure to meet the needs of practitioners who serve in the military. DOH is researching options to better inform practitioners that the “M” status is

available for their license.

Department of Licensing

Based on responses from returning military members, current military abeyance processes for professional licensing meet the needs of our military licensees who are deployed. BPD is always open to additional research and dialogue regarding options that will further assist our licensees that are deployed.

APPENDIX A

Department of Health
Procedure 302: Effect of Military Status on Credentials

Procedure

Cancels G03.01 &
Replaces 10/13/04
Directive

302: Effect of Military Status on Credentials

References: [RCW 43.70.270; 50 U.S.C. 501-593](#)
Forms: None

Approved By: Bonnie King, Director, Health Professions Quality Assurance

Date Approved: May 2, 2005

Contact: [Director's Office](#)

Purpose: An applicant or credential holder may be an active member of the military service. This procedure is designed to provide consistent treatment of military service members for purposes of credentialing or discipline. See the procedure entitled "Effect of Military Status on Discipline".

- 1. Military service members retain their credentials during active duty status. The Customer Service Center (CSC) manages the process.**
 - A military status credential remains in full force and effect and allows practice throughout the state.
- 2. The service member is in "active military status" in HPQA databases ["M" status] when (s)he provides a copy of the service orders to the Department, through the CSC.**
 - A renewal card is not sent to credential holders in "M" status.
 - The credential holder must send current orders to the CSC each year on the renewal date to update the expiration date.
 - Renewal fees are not charged to credential holders in "M" status.
 - If the credential holder does not submit current orders on renewal, the credential expires
- 3. Military service members have a 6-month period to update their credential after discharge.**
 - A. A military credential status is changed to active when:
 - A copy of discharge papers (DD214) is provided, and
 - The renewal fee is paid
 - Back fees and late renewal fees are not charged.
 - B. Continuing education (CE) reporting is not required upon return to active status.
 - C. Regular procedures for renewal cycle and continuing education apply after the first post-discharge update.
 - D. If the credential holder does not renew within 6 months after

discharge, the credential expires.

- If the credential holder later asks to renew the credential, the regular renewal process applies, including penalties. For purposes of determining the penalty or process (reactivation), the date represented by six months after discharge is the expiration date.

APPENDIX B

Department of Licensing Professional Licensing Programs

Department of Licensing: Professional Licensing Programs

Appraisers
Architects
Auctioneers
Bail Bond Agents
Bail Bond Recovery Agents
Collection Agencies
Cosmetologists
Court Reporters
Driver Training Schools
Employment Agencies
Engineers
Funeral Directors
Geologists
Home Inspectors
Land Surveyors
Landscape Architects
Notaries
On-site Water Treatment
Professional Athletics (boxers, wrestlers and officials)
Private Investigators
Real Estate
Security Guards
Sellers of Travel
Timeshares

APPENDIX C

ESHB 2687: Operating Budget – Supplemental
Appropriation Sec. 222, Department of Health,
Section 44

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2687
Chapter 329, Laws of 2008
(partial veto)
60th Legislature
2008 Regular Session
OPERATING BUDGET--SUPPLEMENTAL APPROPRIATIONS
EFFECTIVE DATE: 04/01/08

***Sec. 222.** 2007 c 522 s 222 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF HEALTH

Section 44:

44) The department of licensing and the department of health shall jointly review and report to the appropriate policy committees of the legislature by December 1, 2008, recommendations for implementing a process of holding in abeyance for up to six months following the conclusion of active duty service the expiration of, and currency requirements for, professional licenses and certificates for individuals who have been called to active duty military service.