Part 3
Licensing

58-1-301 License application -- Licensing procedure.

(1)
(a) Each license applicant shall apply to the division in writing upon forms available from the division.
(b) Each completed application shall:
(i) contain documentation of the particular qualifications required of the applicant under this title or rules made by the division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
(ii) include the applicant's:
(A) full legal name; and
(B) social security number, or other satisfactory evidence of the applicant's identity permitted under rules made by the division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
(iii) be verified by the applicant; and
(iv) be accompanied by the appropriate fees.
(c) An applicant's social security number is a private record under Subsection 63G-2-302(1)(i).
(d) The division may designate an applicant's evidence of identity under Subsection (1)(b)(ii)(B) as a private record in accordance with Section 63G-2-302.

(2)
(a) The division shall issue a license to an applicant who submits a complete application if the division determines that the applicant meets the qualifications of licensure.
(b) The division shall provide a written notice of additional proceedings to an applicant who submits a complete application, but who has been, is, or will be placed under investigation by the division for conduct directly bearing upon the applicant's qualifications for licensure, if the outcome of additional proceedings is required to determine the division's response to the application.
(c) The division shall provide a written notice of denial of licensure to an applicant who submits a complete application if the division determines that the applicant does not meet the qualifications of licensure.
(d) The division shall provide a written notice of incomplete application and conditional denial of licensure to an applicant who submits an incomplete application, which notice shall advise the applicant that the application is incomplete and that the application is denied, unless the applicant corrects the deficiencies within the time period specified in the notice and otherwise meets all qualifications for licensure.

(3) The division may only issue a license to an applicant under this title if the applicant meets the requirements for that license as established under this title and by division rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(4) If an applicant meets all requirements for a specific license, the division shall issue the license to the applicant.

(5)
(a) As used in this Subsection (5):
(i)
(A) "Competency-based licensing requirement" means a practical assessment of knowledge and skills that clearly demonstrate a person is prepared to engage in an occupation or

profession regulated by this title, and which the director determines is at least as effective as a time-based licensing requirement at demonstrating proficiency and protecting the health and safety of the public.

(B) "Competency-based licensing requirement" may include any combination of training, experience, testing, or observation.

(ii)

(A) "Time-based licensing requirement" means a specific number of hours, weeks, months, or years of education, training, supervised training, or other experience that an applicant for licensure under this title is required to complete before receiving a license under this title.

(B) "Time-based licensing requirement" does not include an associate degree, a bachelor's degree, or a graduate degree from an accredited institution of higher education.

(b) Subject to Subsection (5)(c), for an occupation or profession regulated by this title that has a time-based licensing requirement, the director, after consultation with the appropriate board, may by division rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, allow an applicant to complete a competency-based licensing requirement as an alternative to completing the time-based licensing requirement.

(c) If a time-based licensing requirement involves a program that must be approved or accredited by a specific entity or board, the director may only allow an applicant to complete a competency-based licensing requirement as an alternative to completing the time-based licensing requirement under Subsection (5)(b) if the competency-based requirement is approved or accredited by the specific entity or board as a replacement or alternative to the time-based licensing requirement.

Amended by Chapter 223, 2023 General Session

58-1-301.3 Waiver of licensing fees.

An individual applying for initial licensure or licensure renewal under this title may apply for initial licensure or licensure renewal without paying the fees described in Subsection 58-1-301(1) if the applicant provides evidence to the division in a form prescribed by the division that at the time of the application the applicant is:

(1) on full-time active service with a branch of the armed forces of the United States, including an applicant who is on full-time active duty orders with the National Guard or reserve component of the armed forces; or

(2) receiving public assistance through one of the following programs administered by the Department of Workforce Services:

(a) the Family Employment Program described in Section 35A-3-302; or

(b) General Assistance described in Section 35A-3-401.

Amended by Chapter 339, 2020 General Session

Superseded 1/1/2027

58-1-301.5 Division access to Bureau of Criminal Identification records -- Criminal background check requirement.

(1) As used in this section, "applicant" means an individual applying for licensure or certification, or with respect to a license or certification, applying for renewal, reinstatement, or relicensure or recertification, as required in:

(a) Section 58-5a-302;

(b) Section 58-16a-302;

(c) Section 58-17b-303;
(d) Section 58-17b-304;
(e) Section 58-17b-305;
(f) Section 58-17b-306;
(g) Section 58-24b-302;
(h) Section 58-31b-302;
(i) Section 58-42a-302;
(j) Section 58-44a-302;
(k) Section 58-47b-302;
(l) Section 58-47b-302.2;
(m) Section 58-49-4;
(n) Section 58-55-302;
(o) Section 58-60-205;
(p) Section 58-60-305;
(q) Section 58-60-405;
(r) Section 58-60-506;
(s) Section 58-61-304;
(t) Section 58-63-302;
(u) Section 58-64-302;
(v) Section 58-67-302;
(w) Section 58-68-302;
(x) Section 58-69-302;
(y) Section 58-70a-302;
(z) Section 58-70b-302;
(aa) Section 58-71-302;
(bb) Section 58-73-302;
(cc) Section 58-89-104;
(dd) Section 58-91-103;
(ee) Section 58-92-302; or
(ff) Section 58-93-302.

(2) The division shall have direct access to local files the Bureau of Criminal Identification maintains under Title 53, Chapter 10, Part 2, Bureau of Criminal Identification, for background screening of an applicant.

(3) The division's access to criminal background information under this section:
(a) shall meet the requirements of Section 53-10-108; and
(b) includes:
(i) convictions, pleas of nolo contendere, pleas of guilty or nolo contendere held in abeyance, dismissed charges, and charges without a known disposition; and
(ii) criminal background information maintained under Title 53, Chapter 10, Part 2, Bureau of Criminal Identification.

(4) The division may not disseminate outside of the division any criminal history record information that the division obtains from the Bureau of Criminal Identification or the Federal Bureau of Investigation under the criminal background check requirements of this section.

(5) To fulfill an applicable criminal background check requirement, an applicant shall:
(a) submit fingerprints in a form acceptable to the division at the time the applicant files a license application or a registration; and
(b) consent to a fingerprint background check the Bureau of Criminal Identification and the Federal Bureau of Investigation conduct regarding the application.

(6)
(a) Upon receiving fingerprints from an applicant in accordance with Subsection (5), the division shall:
(i) collect from each applicant submitting fingerprints in accordance with this section:
(A) the fee that the Bureau of Criminal Identification is authorized to collect for the services provided under Section 53-10-108; and
(B) the fee the Federal Bureau of Investigation charges for fingerprint processing for the purpose of obtaining federal criminal history record information;
(ii) submit from each applicant the fingerprints and the fees described in Subsection (6)(a)(i) to the Bureau of Criminal Identification; and
(iii) obtain and retain in division records a signed waiver the Bureau of Criminal Identification approves in accordance with Section 53-10-108 for each applicant.
(b) The fees described in Subsection (6)(a)(i) are in addition to other fees this chapter authorizes.
(7) In accordance with the requirements of Section 53-10-108, the Bureau of Criminal Identification shall:
(a) check the fingerprints submitted under Subsection (5)(a) against the applicable state and regional criminal records databases;
(b) forward the fingerprints to the Federal Bureau of Investigation for a national criminal history background check; and
(c) provide the results from the state, regional, and nationwide criminal history background checks to the division.
(8)
(a)
(i) Notwithstanding Title 63G, Chapter 4, Administrative Procedures Act, if the criminal background check required under this section demonstrates, after the applicant is licensed or registered, that the applicant failed to accurately disclose a criminal history, the division may provide notice to the applicant that the license or registration is immediately and automatically revoked.
(ii) If a massage establishment owner has a criminal conviction or pending criminal charges for any crime under Title 76, Chapter 5, Part 4, Sexual Offenses, or any crime the division determines by rule the division makes in collaboration with the board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall deny an application for registration of a massage establishment.
(b)
(i) An individual whose license has been revoked in accordance with Subsection (8)(a) is entitled to a hearing to challenge the revocation.
(ii) A registered massage establishment for which the registration has been revoked in accordance with Subsection (8)(a) is entitled to a hearing to challenge the revocation.
(c) The division shall conduct the hearing described in this Subsection (8) in accordance with Title 63G, Chapter 4, Administrative Procedures Act.

Amended by Chapter 44, 2026 General Session

Effective 1/1/2027
58-1-301.5 Division access to Bureau of Criminal Identification records -- Criminal background check requirement.
(1) As used in this section, "applicant" means an individual applying for licensure or certification, for renewal, reinstatement, or relicensure or recertification, as required in:

(a) Section 58-5a-302;
(b) Section 58-16a-302;
(c) Section 58-17b-303;
(d) Section 58-17b-304;
(e) Section 58-17b-305;
(f) Section 58-17b-306;
(g) Section 58-24b-302;
(h) Section 58-31b-302;
(i) Section 58-42a-302;
(j) Section 58-44a-302;
(k) Section 58-47b-302;
(l) Section 58-47b-302.2;
(m) Section 58-49-4;
(n) Section 58-55-203;
(o) Section 58-60-205;
(p) Section 58-60-305;
(q) Section 58-60-405;
(r) Section 58-60-506;
(s) Section 58-61-304;
(t) Section 58-63-302;
(u) Section 58-64-302;
(v) Section 58-67-302;
(w) Section 58-68-302;
(x) Section 58-69-302;
(y) Section 58-70a-302;
(z) Section 58-70b-302;
(aa) Section 58-71-302;
(bb) Section 58-73-302;
(cc) Section 58-89-104;
(dd) Section 58-91-103;
(ee) Section 58-92-302;
(ff) Section 58-93-302; or
(gg) Section 58-94-304.

(2) The division shall have direct access to local files the Bureau of Criminal Identification maintains under Title 53, Chapter 10, Part 2, Bureau of Criminal Identification, for background screening of an applicant.

(3) The division's access to criminal background information under this section:
(a) shall meet the requirements of Section 53-10-108; and
(b) includes:
(i) convictions, pleas of nolo contendere, pleas of guilty or nolo contendere held in abeyance, dismissed charges, and charges without a known disposition; and
(ii) criminal background information the Bureau of Criminal Identification maintains under Title 53, Chapter 10, Part 2, Bureau of Criminal Identification.

(4) The division may not disseminate outside of the division any criminal history record information that the division obtains from the Bureau of Criminal Identification or the Federal Bureau of Investigation under the criminal background check requirements of this section.

(5) To fulfill an applicable criminal background check requirement, an applicant shall:

(a) submit fingerprints in a form acceptable to the division at the time the applicant files a license application or a registration; and

(b) consent to a fingerprint background check the Bureau of Criminal Identification and the Federal Bureau of Investigation conduct regarding the application.

(6)

(a) Upon receiving fingerprints from an applicant in accordance with Subsection (5), the division shall:

(i) collect from each applicant submitting fingerprints in accordance with this section:

(A) the fee that the Bureau of Criminal Identification is authorized to collect for the services provided under Section 53-10-108; and

(B) the fee the Federal Bureau of Investigation charges for fingerprint processing for the purpose of obtaining federal criminal history record information;

(ii) submit from each applicant the fingerprints and the fees described in Subsection (6)(a)(i) to the Bureau of Criminal Identification; and

(iii) obtain and retain in division records a signed waiver the Bureau of Criminal Identification approves in accordance with Section 53-10-108 for each applicant.

(b) The fees described in Subsection (6)(a)(i) are in addition to other fees this chapter authorizes.

(7) In accordance with the requirements of Section 53-10-108, the Bureau of Criminal Identification shall:

(a) check the fingerprints submitted under Subsection (5)(a) against the applicable state and regional criminal records databases;

(b) forward the fingerprints to the Federal Bureau of Investigation for a national criminal history background check; and

(c) provide the results from the state, regional, and nationwide criminal history background checks to the division.

(8)

(a)

(i) Notwithstanding Title 63G, Chapter 4, Administrative Procedures Act, if the criminal background check required under this section demonstrates, after the applicant is licensed or registered, that the applicant failed to accurately disclose a criminal history, the division may provide notice to the applicant that the license or registration is immediately and automatically revoked.

(ii) Notwithstanding Title 63G, Chapter 4, Administrative Procedures Act, if a massage establishment owner has a criminal conviction or pending criminal charges for any crime under Title 76, Chapter 5, Part 4, Sexual Offenses, or any crime the division determines by rule the division makes in collaboration with the board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall deny an application for registration of a massage establishment.

(b)

(i) An individual whose license has been revoked in accordance with Subsection (8)(a) is entitled to a hearing to challenge the revocation.

(ii) A registered massage establishment for which the registration has been revoked in accordance with Subsection (8)(a) is entitled to a hearing to challenge the revocation.

(c) The division shall conduct the hearing described in this Subsection (8) in accordance with Title 63G, Chapter 4, Administrative Procedures Act.

Amended by Chapter 42, 2026 General Session

58-1-301.7 Change of information.

(1)
(a) An applicant, licensee, or certificate holder shall notify the division within 10 business days of a change in mailing address or email address.
(b) When providing a mailing address, the individual may provide a post office box or other mail drop location.
(c) In addition to providing a mailing address, an applicant, licensee, or certificate holder shall provide to the division, in a form approved by the division, an email address.

(2) An applicant, licensee, or certificate holder is considered to have received a notification that has been sent to the most recent:
(a) mailing address provided to the division by the applicant, licensee, or certificate holder; or
(b) email address furnished to the division by the applicant, licensee, or certificate holder.

Amended by Chapter 339, 2020 General Session

58-1-302 License by endorsement.

(1) As used in this section:
(a) "License" means an authorization that permits the holder to engage in the practice of a profession regulated under this title.
(b) "Limited supervised training permit" means a temporary authorization to work in a limited professional capacity that would otherwise require licensure under this title.

(2) Subject to Subsections (4) through (7), the division shall issue a license to an applicant who has been licensed in another state, district, or territory of the United States if:
(a) the division determines that the license issued in the other state, district, or territory encompasses a similar scope of practice as the license sought in this state;
(b) the applicant has at least one year of experience practicing under the license issued in the other state, district, or territory; and
(c) the applicant's license is in good standing in the other state, district, or territory where the license was issued.

(3) Subject to the other provisions of this section, the division may issue a license to an applicant who:
(a) has been licensed in another state, district, or territory of the United States, or in a jurisdiction outside of the United States, if:
(i)
(A) the division determines that the applicant's education, credentialing examination, experience, and skills demonstrate competency in the profession for which the licensure is sought in this state; and
(B) the applicant has at least one year of experience practicing under the license issued in the other state, district, territory, or jurisdiction; or
(ii) the division determines that the licensure requirements of the other state, district, territory, or jurisdiction at the time the license was issued were substantially similar to the current requirements for the license sought in this state; or
(b) has never been licensed in a state, district, or territory of the United States, or in a jurisdiction outside of the United States, if:
(i) the applicant was educated in or obtained relevant experience in a state, district, or territory of the United States, or a jurisdiction outside of the United States; and

(ii) the division determines that the education, credentialing examination, and experience was substantially similar to the current education, credentialing examination, and experience requirements for the license sought in this state.

(4) The division may refuse to issue a license to an applicant under this section if:

(a) the division determines that there is reasonable cause to believe that the applicant is not qualified to receive the license in this state; or

(b) the applicant has a previous or pending disciplinary action related to the applicant's license.

(5) Before the division issues a license to an applicant under this section, the applicant shall:

(a) pay a fee the department determines in accordance with Section 63J-1-504; and

(b) produce satisfactory evidence of the applicant's identity, qualifications, and good standing in the profession for which licensure is sought in this state.

(6)

(a) For an applicant who is or has been licensed in another jurisdiction, but does not satisfy the requirements of Subsection (2) or (3), the division may evaluate and determine whether:

(i) the applicant is eligible for a license under this title because the applicant's education, credentialing examination, or experience obtained in the other jurisdiction is substantially similar to the education, credentialing examination, or experience requirements for the license; or

(ii) in light of the applicant's education or experience obtained in the other jurisdiction, the applicant's education or experience would be substantially similar to the education or experience requirements for a license under this title, if the applicant obtains additional education or experience.

(b) After the division chooses to evaluate an applicant under Subsection (6)(a), the division may issue a limited supervised training permit to the applicant if:

(i) the applicant has an employment offer from an employer in the state;

(ii) the employer attests to the division that the applicant will work under the level of supervision the division requires by rule the division makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, of an individual who:

(A) holds a license in good standing of the same classification as the limited supervised training permit; and

(B) has held the license for a minimum period of time the division defines by rule the division makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;

(iii)

(A) the division needs additional time to make a determination under Subsection (6)(a)(i); or

(B) the division determines under Subsection (6)(a)(ii) that additional education or experience would make the applicant's education or experience substantially similar to the education or experience requirements for a license under this title, the applicant wishes to pursue the education or experience, and the division makes a deadline for the applicant to complete the additional education or experience;

(iv) the applicant pays a fee the department determines in accordance with Section 63J-1-504;

(v) the applicant meets the minimum professional standards to work in a supervised environment that the division, in consultation with the applicable board, establishes for the applicable profession;

(vi) the applicant submits to a background check, if required for the license for which the applicant applied; and

(vii) the applicant meets with the applicable board, if requested, to evaluate the applicant's qualifications.

(c)

(i) A limited supervised training permit issued under this Subsection (6) expires:
(A) on the deadline that the division makes for the applicant to complete the additional education or experience described in Subsection (6)(b)(iii)(B); or
(B) upon the division's grant or denial of the applicant's application for licensure by endorsement.
(ii) The division may not renew or otherwise extend a limited supervised training permit unless:
(A) a circumstance or hardship arose beyond the limited supervised training permit holder's control that prevented the limited supervised training permit holder from completing the licensure process;
(B) the limited supervised training permit holder presents satisfactory evidence to the division that the limited supervised training permit holder is making reasonable progress toward obtaining licensure in the state;
(C) the division grants the renewal or extension for a period proportionate to the circumstance or hardship; and
(D) the limited supervised training permit holder's employer consents in writing to the renewal or extension.
(7) The division, in consultation with the applicable licensing board, may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, prescribing the administration and requirements of this section.
(8)
(a) The provisions of this section control over any conflicting licensure by endorsement provision in another chapter of this title.
(b) The division, in consultation with the applicable licensing board and professional educators that help establish and monitor educational requirements for the profession of the applicant under review, shall ensure that the provisions of this section apply uniformly to the administration and enforcement of licensure by endorsement for each license type under this title.
(9) The division shall compile and post on the division's website an annual report that includes:
(a) the number of licenses and limited supervised training permits issued under this section during the preceding year;
(b) each determination in which the division deems specified education, credentialing examination, experience, or skills substantially similar to the education, credentialing examination, experience, or skills required for a license sought under this section; and
(c) documentation of each instance in which the applicable board disagreed with the division's determination that an applicant's education, credentialing examination, experience, or skills from another jurisdiction were substantially similar to the education, credentialing examination, experience, or skills required for the license sought under this section.

Amended by Chapter 64, 2026 General Session

58-1-302.1 Temporary license for telemedicine.
(1) As used in this section:
(a) "Nonresident health care license" means a health care license issued by another state, district, or territory of the United States.
(b) "Telemedicine service" means the same as that term is defined in Section 26B-4-704.
(2) An individual with a temporary license issued under this section is authorized to provide a telemedicine service if:

(a) the telemedicine service is a service the individual is licensed to perform under the nonresident health care license of the state, district, or territory that issued the nonresident health care license;
(b) at the time the telemedicine service is performed, the patient is located in Utah; and
(c) performing the telemedicine service would not otherwise violate state law.
(3) The division shall issue a temporary license described in Subsection (2) to an individual who has a nonresident health care license in good standing if:
(a) the individual has completed an application for a license by endorsement in accordance with Section 58-1-302; and
(b) the division determines that they will not be able to process the application within 15 days from the day on which the application is submitted.
(4) The division may not charge a fee for a temporary license issued under this section beyond the fee required for a license issued under Section 58-1-302.

Amended by Chapter 486, 2024 General Session

58-1-303 Temporary license.
(1)
(a) The division may issue a temporary license to a person who has met all license requirements except the passing of an examination. In this case:
(i) the licensee shall take the next available examination; and
(ii) the temporary license automatically expires upon release of official examination results if the applicant fails the examination.
(b) The division may issue a temporary license to a person licensed in another state or country who is in Utah temporarily to teach or assist a Utah resident licensed to practice an occupation or profession under this title.
(c) The division may issue a temporary license to a person licensed in another state who met the requirements for licensure in that state, which were equal to or greater than the requirements for licensure of this state at the time the license was obtained in the other state, upon a finding by the division, in collaboration with the appropriate board, that the issuance of a temporary license is necessary to or justified by:
(i) a local or national emergency or any governmental action causing an unusual circumstance that might be reasonably considered to materially jeopardize the public health, safety, or welfare if a temporary license is not issued;
(ii) a lack of necessary available services in any community or area of the state from an occupation or profession licensed under this title, if the lack of services might be reasonably considered to materially jeopardize the public health, safety, or welfare if a temporary license is not issued; or
(iii) a need to first observe an applicant for licensure in this state in a monitored or supervised practice of the applicant's occupation or profession before a decision is made by the division either to grant or deny the applicant a regular license.
(2) The division may not issue a temporary license to a person who qualifies for one under Subsection (1)(a) more than three consecutive times within the three-year period immediately following the issuance of the first temporary license.
(3) The division may not issue a temporary license to a person solely because there is a competitive advantage enjoyed or a competitive disadvantage suffered by any party caused by the absence of a licensed person, unless in addition there is or will be a material risk presented to the public health, safety, or welfare.

Renumbered and Amended by Chapter 297, 1993 General Session

58-1-304 Restricted license.

(1) The division may issue a restricted or probationary license to an applicant for licensure, renewal, or reinstatement of licensure if:
  (a) the applicant appears to meet the qualifications for licensure, but has engaged in unlawful, unprofessional, or other conduct bearing upon the applicant's qualifications; and
  (b) the division determines the need to observe the applicant in a monitored or supervised practice of the applicant's occupation or profession or to attach other reasonable restrictions or conditions upon the applicant in order to accommodate licensure, while protecting the public health, safety, and welfare.
(2) Issuance of a restricted or probationary license is considered a partial denial of licensure that is subject to agency review.

Amended by Chapter 262, 2013 General Session

58-1-305 Inactive license.

(1)
  (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may adopt rules permitting inactive licensure.
  (b) The rules shall specify the requirements and procedures for placing a license on inactive status, the length of time a license may remain on inactive status, and the requirements and procedures to activate an inactive license.
(2) Except as otherwise specified by rule, an inactive licensee has no right or privilege to engage in the practice of the licensed occupation or profession.
(3) The division shall waive the renewal fee for a person holding or applying for an inactive license, if at the time of the application for or renewal of the inactive license, the person is on full-time active service with a branch of the armed forces of the United States, including a person who is on full-time active duty orders with the National Guard or reserve component of the armed forces.

Amended by Chapter 90, 2018 General Session

58-1-306 Surrender of license.

(1) The division may, by written agreement, accept the voluntary surrender of a license.
(2) Unless otherwise stated in the written agreement, tender and acceptance of a voluntary surrender of a license does not foreclose the division from pursuing additional disciplinary or other action authorized under this title or in rules adopted under this title.
(3) Unless otherwise stated in the written agreement, tender and acceptance of a voluntary surrender of a license terminates all rights and privileges associated with the license.
(4) Unless otherwise stated in the written agreement, the surrendered rights and privileges of licensure may be reacquired only by reapplying for licensure and meeting the requirements for a new or reinstated license set forth under this title or in rules adopted under this title.
(5) Unless otherwise stated in the written agreement, documentation of tender and acceptance of a voluntary surrender of a license is a public record.
(6) Unless otherwise stated in the written agreement, when a tender and acceptance of a voluntary surrender of a license occurs while adjudicative proceedings are pending against the

licensee for unprofessional or unlawful conduct, the division may report the surrender of license to appropriate state and federal agencies and licensing data banks.

Enacted by Chapter 297, 1993 General Session

58-1-307 Exemptions from licensure.

(1) Except as otherwise provided by statute or rule, the following individuals may engage in the practice of their occupation or profession, subject to the stated circumstances and limitations, without being licensed under this title:

(a) an individual serving in the armed forces of the United States, the United States Public Health Service, the United States Department of Veterans Affairs, or other federal agencies while engaged in activities regulated under this chapter as a part of employment with that federal agency if the individual holds a valid license to practice a regulated occupation or profession issued by any other state or jurisdiction recognized by the division;

(b) a student engaged in activities constituting the practice of a regulated occupation or profession while in training in a recognized school approved by the division to the extent the activities are supervised by qualified faculty, staff, or designee and the activities are a defined part of the training program;

(c) an individual engaged in an internship, residency, preceptorship, postceptorship, fellowship, apprenticeship, or on-the-job training program approved by the division while under the supervision of qualified individuals;

(d) an individual residing in another state and licensed to practice a regulated occupation or profession in that state, who is called in for a consultation by an individual licensed in this state, and the services provided are limited to that consultation;

(e) an individual who is invited by a recognized school, association, society, or other body approved by the division to conduct a lecture, clinic, or demonstration of the practice of a regulated occupation or profession if the individual does not establish a place of business or regularly engage in the practice of the regulated occupation or profession in this state;

(f) an individual licensed under the laws of this state, other than under this title, to practice or engage in an occupation or profession, while engaged in the lawful, professional, and competent practice of that occupation or profession;

(g) an individual licensed in a health care profession in another state who performs that profession while attending to the immediate needs of a patient for a reasonable period during which the patient is being transported from outside of this state, into this state, or through this state;

(h) an individual licensed in another state or country who is in this state temporarily to attend to the needs of an athletic team or group, except that the practitioner may only attend to the needs of the athletic team or group, including all individuals who travel with the team or group in any capacity except as a spectator;

(i) an individual licensed and in good standing in another state, who is in this state:

(i) temporarily, under the invitation and control of a sponsoring entity;

(ii) for a reason associated with a special purpose event, based upon needs that may exceed the ability of this state to address through its licensees, as determined by the division; and

(iii) for a limited period of time not to exceed the duration of that event, together with any necessary preparatory and conclusionary periods; and

(j) the spouse of an individual serving in the armed forces of the United States or the spouse of a DOD civilian while the individual or DOD civilian is stationed within this state, provided:

(i) the spouse holds a valid license to practice a regulated occupation or profession issued by any other state or jurisdiction recognized by the division; and

(ii) the license is current and the spouse is in good standing in the state of licensure.

(2)

(a) A practitioner temporarily in this state who is exempted from licensure under Subsection (1) shall comply with each requirement of the licensing jurisdiction from which the practitioner derives authority to practice.

(b) Violation of a limitation imposed by this section constitutes grounds for removal of exempt status, denial of license, or other disciplinary proceedings.

(3) An individual who is licensed under a specific chapter of this title to practice or engage in an occupation or profession may engage in the lawful, professional, and competent practice of that occupation or profession without additional licensure under other chapters of this title, except as otherwise provided by this title.

(4) Upon the declaration of a national, state, or local emergency, a public health emergency as defined in Section 26B-7-301, or a declaration by the president of the United States or other federal official requesting public health-related activities, the division in collaboration with the relevant board may:

(a) suspend the requirements for permanent or temporary licensure of individuals who are licensed in another state for the duration of the emergency while engaged in the scope of practice for which they are licensed in the other state;

(b) modify, under the circumstances described in this Subsection (4) and Subsection (5), the scope of practice restrictions under this title for individuals who are licensed under this title as:

(i) a physician under Chapter 67, Utah Medical Practice Act, or Chapter 68, Utah Osteopathic Medical Practice Act;

(ii) a nurse under Chapter 31b, Nurse Practice Act, or Chapter 31e, Nurse Licensure Compact - Revised;

(iii) a certified nurse midwife under Chapter 44a, Nurse Midwife Practice Act;

(iv) a pharmacist, pharmacy technician, or pharmacy intern under Chapter 17b, Pharmacy Practice Act;

(v) a respiratory therapist under Chapter 57, Respiratory Care Practices Act;

(vi) a dentist and dental hygienist under Chapter 69, Dentist and Dental Hygienist Practice Act; and

(vii) a physician assistant under Chapter 70a, Utah Physician Assistant Act;

(c) suspend the requirements for licensure under this title and modify the scope of practice in the circumstances described in this Subsection (4) and Subsection (5) for medical services personnel or paramedics required to be licensed under Section 53-2d-402;

(d) suspend requirements in Subsections 58-17b-620(3) through (6) which require certain prescriptive procedures;

(e) exempt or modify the requirement for licensure of an individual who is activated as a member of a medical reserve corps during a time of emergency as provided in Section 26A-1-126;

(f) exempt or modify the requirement for licensure of an individual who is registered as a volunteer health practitioner as provided in Title 26B, Chapter 4, Part 8, Uniform Emergency Volunteer Health Practitioners Act; and

(g) in accordance with rules made by the division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, exempt or modify the requirements for licensure of an individual engaged in one or more of the construction trades described in Chapter 55, Utah Construction Trades Licensing Act.

(5) Individuals exempt under Subsection (4)(c) and individuals operating under modified scope of practice provisions under Subsection (4)(b):
(a) are exempt from licensure or subject to modified scope of practice for the duration of the emergency;
(b) must be engaged in the distribution of medicines or medical devices in response to the emergency or declaration; and
(c) must be employed by or volunteering for:
(i) a local or state department of health; or
(ii) a host entity as defined in Section 26B-4-801.
(6) In accordance with the protocols established under Subsection (8), upon the declaration of a national, state, or local emergency, the Department of Health and Human Services or a local health department shall coordinate with public safety authorities as defined in Subsection 26B-7-323(1) and may:
(a) use a vaccine, antiviral, antibiotic, or other prescription medication that is not a controlled substance to prevent or treat a disease or condition that gave rise to, or was a consequence of, the emergency; or
(b) distribute a vaccine, antiviral, antibiotic, or other prescription medication that is not a controlled substance:
(i) if necessary, to replenish a commercial pharmacy in the event that the commercial pharmacy's normal source of the vaccine, antiviral, antibiotic, or other prescription medication is exhausted; or
(ii) for dispensing or direct administration to treat the disease or condition that gave rise to, or was a consequence of, the emergency by:
(A) a pharmacy;
(B) a prescribing practitioner;
(C) a licensed health care facility;
(D) a federally qualified community health clinic; or
(E) a governmental entity for use by a community more than 50 miles from a person described in Subsections (6)(b)(ii)(A) through (D).
(7) In accordance with protocols established under Subsection (8), upon the declaration of a national, state, or local emergency, the Department of Health and Human Services shall coordinate the distribution of medications:
(a) received from the strategic national stockpile to local health departments; and
(b) from local health departments to emergency personnel within the local health departments' geographic region.
(8) The Department of Health and Human Services shall establish by rule, made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, protocols for administering, dispensing, and distributing a vaccine, an antiviral, an antibiotic, or other prescription medication that is not a controlled substance in the event of a declaration of a national, state, or local emergency. The protocol shall establish procedures for the Department of Health and Human Services or a local health department to:
(a) coordinate the distribution of:
(i) a vaccine, an antiviral, an antibiotic, or other prescription medication that is not a controlled substance received by the Department of Health and Human Services from the strategic national stockpile to local health departments; and
(ii) a vaccine, an antiviral, an antibiotic, or other non-controlled prescription medication received by a local health department to emergency personnel within the local health department's geographic region;

(b) authorize the dispensing, administration, or distribution of a vaccine, an antiviral, an antibiotic, or other prescription medication that is not a controlled substance to the contact of a patient without a patient-practitioner relationship, if the contact's condition is the same as that of the physician's or physician assistant's patient; and

(c) authorize the administration, distribution, or dispensing of a vaccine, an antiviral, an antibiotic, or other non-controlled prescription medication to an individual who:

(i) is working in a triage situation;

(ii) is receiving preventative or medical treatment in a triage situation;

(iii) does not have coverage for the prescription in the individual's health insurance plan;

(iv) is involved in the delivery of medical or other emergency services in response to the declared national, state, or local emergency; or

(v) otherwise has a direct impact on public health.

(9) The Department of Health and Human Services shall give notice to the division upon implementation of the protocol established under Subsection (8).

Amended by Chapter 438, 2025 General Session

58-1-307.1 Delegation of health care services -- Division duties.

The division, in consultation with the Department of Health, shall identify by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, a list of health care services that an unlicensed individual may perform without delegation by a health care provider, as defined in Section 78B-3-403, regardless of the setting or licensing of the facility in which the health care services are performed.

Enacted by Chapter 314, 2020 General Session

58-1-308 Term of license -- Expiration of license -- Renewal of license -- Reinstatement of license -- Application procedures.

(1)

(a) Each license issued under this title shall be issued in accordance with a two-year renewal cycle established by rule.

(b) A renewal period may be extended or shortened by as much as one year to maintain established renewal cycles or to change an established renewal cycle.

(2)

(a) The expiration date of a license shall be shown on the license.

(b) A license that is not renewed prior to the expiration date shown on the license automatically expires.

(c) A license automatically expires prior to the expiration date shown on the license upon the death of a licensee who is a natural person, or upon the dissolution of a licensee that is a partnership, corporation, or other business entity.

(d) If the existence of a dissolved partnership, corporation, or other business entity is reinstated prior to the expiration date shown upon the entity's expired license issued by the division, the division shall, upon written application, reinstate the applicant's license, unless it finds that the applicant no longer meets the qualifications for licensure.

(e) Expiration of licensure is not an adjudicative proceeding under Title 63G, Chapter 4, Administrative Procedures Act.

(3)

(a) The division shall notify each licensee in accordance with procedures established by rule that the licensee's license is due for renewal and that unless an application for renewal is received by the division by the expiration date shown on the license, together with the appropriate renewal fee and documentation showing completion of or compliance with renewal qualifications, the license will not be renewed.

(b) Examples of renewal qualifications which by statute or rule the division may require the licensee to document completion of or compliance with include:

(i) continuing education;

(ii) continuing competency;

(iii) quality assurance;

(iv) utilization plan and protocol;

(v) financial responsibility;

(vi) certification renewal; and

(vii) calibration of equipment.

(4)

(a)

(i) An application for renewal that complies with Subsection (3) is complete.

(ii) A renewed license shall be issued to applicants who submit a complete application, unless it is apparent to the division that the applicant no longer meets the qualifications for continued licensure.

(b)

(i) The division may evaluate or verify documentation showing completion of or compliance with renewal requirements on an entire population or a random sample basis, and may be assisted by advisory peer committees.

(ii) If necessary, the division may complete its evaluation or verification subsequent to renewal and, if appropriate, pursue action to suspend or revoke the license of a licensee who no longer meets the qualifications for continued licensure.

(c) The application procedures specified in Subsection 58-1-301(2), apply to renewal applications to the extent they are not in conflict with this section.

(5)

(a) Any license that is not renewed may be reinstated:

(i) upon submission of an application for reinstatement, payment of the renewal fee together with a reinstatement fee determined by the department under Section 63J-1-504, and upon submission of documentation showing completion of or compliance with renewal qualifications; and

(ii)

(A) at any time within two years after nonrenewal; or

(B) between two years and five years after nonrenewal, if established by rule made by the division in consultation with the applicable licensing board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(b) The application procedures specified in Subsection 58-1-301(2) apply to the reinstatement applications to the extent they are not in conflict with this section.

(c) Except as otherwise provided by rule, a license that is reinstated no later than 120 days after it expires shall be retroactively reinstated to the date it expired.

(6)

(a) Except as provided in Subsection (5)(a), if not reinstated within two years, the holder may obtain a license only if the holder meets requirements provided by the division by rule or by statute for a new license.

(b) Each licensee under this title who has been active in the licensed occupation or profession while in the full-time employ of the United States government or under license to practice that occupation or profession in any other state or territory of the United States may reinstate the licensee's license without taking an examination by submitting an application for reinstatement, paying the current annual renewal fee and the reinstatement fee, and submitting documentation showing completion of or compliance with any renewal qualifications at any time within six months after reestablishing domicile within Utah or terminating full-time government service.

(7) A service member may reactivate an expired professional or occupational license as described in 71A-8-103.

Amended by Chapter 185, 2024 General Session

58-1-309 Laws and rules examination.

In addition to qualifications for licensure or renewal of licensure enumerated in specific practice acts under this title, the division may by rule require an applicant to pass an examination of the laws and rules relevant to the occupation or profession to ensure familiarity with these laws and rules.

Enacted by Chapter 297, 1993 General Session

58-1-310 Application for division determination regarding criminal conviction.

(1) An individual with a criminal record may apply to the division at any time for a determination of whether the individual's criminal record would disqualify the individual from obtaining a license in an occupation or profession regulated by this title if the individual has completed or were to complete all other licensing requirements for the occupation or profession.

(2) To receive a determination, the individual shall submit the application described in this section in a form the division approves and shall include information regarding:

(a) the individual's complete criminal conviction history;

(b) what occupational or professional license the individual is interested in seeking;

(c) what licensing requirements the individual meets;

(d) what licensing requirements the individual has not met; and

(e) any other information the division requires by rule the division makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(3) The division may charge the individual a fee, established in accordance with Section 63J-1-504, to submit an application under this section.

(4) Within 90 days of the day on which the division receives a completed application from an individual for a determination under this section, based on the statutory authority and administrative rules governing the occupation or profession at the time of the application, the division shall provide a written determination to the individual of whether the individual's criminal record would disqualify the individual from obtaining a license in an occupation or profession this title regulates if the individual were to complete all other licensing requirements.

(5) If the individual's criminal record would disqualify the individual from obtaining a license in an occupation or profession this title regulates, the written determination described in Subsection (4) may also include information regarding additional steps the individual could take to qualify for licensure.

Amended by Chapter 64, 2026 General Session

58-1-311 Required examinations in languages in addition to English.

In order to encourage economic development in the state, the department may offer any required examination under this title, which is prepared by a national testing organization, in languages in addition to English.

Amended by Chapter 409, 2021 General Session

58-1-312 Organ donation notification.

(1) As used in this section:
(a) "Donor" means the same as that term is defined in Section 26B-8-301.
(b) "Donor registry" means the same as that term is defined in Section 26B-8-301.
(2) At the same time the division issues a new license to a licensee in accordance with Subsection 58-1-301(4), and at the same time the division notifies a licensee that the licensee's license is due for renewal in accordance with Subsection 58-1-308(3)(a), the division shall distribute to the licensee, by email using the most recent email address furnished to the division by the licensee, a message notifying the licensee of the option to register as a donor and providing the licensee an Internet link to a website for a donor registry established under Section 26B-8-319.

Amended by Chapter 328, 2023 General Session

58-1-313 Veteran licensing.

(1) As used in this section:
(a) "License" means an authorization that permits the holder to engage in the practice of a profession regulated under this title.
(b) "Service member" means the same as that term is defined in Section 71A-1-101.
(2) The division shall, in consultation with the Department of Veterans and Military Affairs:
(a) identify skills, experience, credentials, training, and education that an individual can obtain in the armed forces;
(b) determine to what level the skills, experience, credentials, training, and education described in Subsection (2)(a) are substantially equivalent to current requirements in statute or administrative rule for a license and can substitute for the requirements; and
(c) prepare and update as necessary a document, spreadsheet, or other resource accessible by the public on the division's website detailing the information described in Subsection (2)(a) and (b).
(3) If a veteran or service member applies for a license and does not meet the current required training or education requirements established in statute or administrative rule for the license, the division shall give credit to the veteran or service member for relevant skills, experience, credentials, training, or education obtained while in the armed forces based on the determination described in Subsection (2)(b).
(4) On or before November 1, 2028, the division shall provide a report the Business and Labor Interim Committee regarding:
(a) the number of applicants for a license who are veterans or service members that have successfully been granted a license under this section; and
(b) any legislative recommendations for changes to this section.

Enacted by Chapter 75, 2026 General Session