

1 **PROFESSIONAL LICENSING BY ENDORSEMENT**

2 **AMENDMENTS**

3 2023 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Curtis S. Bramble**

6 House Sponsor: A. Cory Maloy

7

8 **LONG TITLE**

9 **Committee Note:**

10 The Business and Labor Interim Committee recommended this bill.

11 Legislative Vote: 12 voting for 0 voting against 8 absent

12 **General Description:**

13 This bill addresses professional licensing and certification by certain state agencies.

14 **Highlighted Provisions:**

15 This bill:

- 16 ▶ defines terms;
- 17 ▶ creates a process for the following state agencies to issue certain professional

18 licenses and certificates by endorsement:

- 19 • the Department of Agriculture and Food;
- 20 • the Pete Suazo Utah Athletic Commission within the Department of Cultural
- 21 and Community Engagement;
- 22 • the Department of Commerce;
- 23 • the Department of Environmental Quality;
- 24 • the Department of Health and Human Services;
- 25 • the Utah State Office of Rehabilitation within the Department of Workforce

26 Services;

- 27 • the Labor Commission;



- 28 • the Motor Vehicle Enforcement Division within the State Tax Commission;
- 29 • the Department of Public Safety;
- 30 • the State Board of Education; and
- 31 • the Department of Transportation;
- 32 ▶ provides administrative rulemaking authority; and
- 33 ▶ makes technical and conforming changes.

34 **Money Appropriated in this Bill:**

35 None

36 **Other Special Clauses:**

37 None

38 **Utah Code Sections Affected:**

39 AMENDS:

40 **58-1-302**, as last amended by Laws of Utah 2022, Chapter 415

41 ENACTS:

- 42 **4-1-112**, Utah Code Annotated 1953
- 43 **9-23-301.5**, Utah Code Annotated 1953
- 44 **13-1-17**, Utah Code Annotated 1953
- 45 **19-1-208**, Utah Code Annotated 1953
- 46 **26B-3-102**, Utah Code Annotated 1953
- 47 **35A-13-606.5**, Utah Code Annotated 1953
- 48 **40-2-403**, Utah Code Annotated 1953
- 49 **41-3-212**, Utah Code Annotated 1953
- 50 **53-1-122**, Utah Code Annotated 1953
- 51 **53E-6-205**, Utah Code Annotated 1953
- 52 **72-9-602.5**, Utah Code Annotated 1953

53

54 *Be it enacted by the Legislature of the state of Utah:*

55 Section 1. Section **4-1-112** is enacted to read:

56 **4-1-112. License by endorsement.**

57 (1) As used in this section, "license" means an authorization that permits the holder to
58 engage in the practice of a profession regulated under this title.

59 (2) Subject to Subsections (4) through (7), the department shall issue a license to an
60 applicant who has been licensed in another state, district, or territory of the United States if:

61 (a) the department determines that the license issued by the other state, district, or
62 territory encompasses a similar scope of practice as the license sought in this state;

63 (b) the applicant has at least one year of experience practicing under the license issued
64 in the other state, district, or territory; and

65 (c) the applicant's license is in good standing in the other state, district, or territory.

66 (3) Subject to Subsections (4) through (7), the department may issue a license to an
67 applicant who:

68 (a) has been licensed in another state, district, or territory of the United States, or in a
69 jurisdiction outside of the United States, if:

70 (i) (A) the department determines that the applicant's education, experience, and skills
71 demonstrate competency in the profession for which licensure is sought in this state; and

72 (B) the applicant has at least one year of experience practicing under the license issued
73 in the other state, district, territory, or jurisdiction; or

74 (ii) the department determines that the licensure requirements of the other state,
75 district, territory, or jurisdiction at the time the license was issued were substantially similar to
76 the requirements for the license sought in this state; or

77 (b) has never been licensed in a state, district, or territory of the United States, or in a
78 jurisdiction outside of the United States, if:

79 (i) the applicant was educated in or obtained relevant experience in a state, district, or
80 territory of the United States, or a jurisdiction outside of the United States; and

81 (ii) the department determines that the education or experience was substantially
82 similar to the education or experience requirements for the license sought in this state.

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

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

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

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

90 (a) pay a fee determined by the department under Section 63J-1-504; and
91 (b) produce satisfactory evidence of the applicant's identity, qualifications, and good
92 standing in the profession for which licensure is sought in this state.

93 (6) The department may make rules in accordance with Title 63G, Chapter 3, Utah
94 Administrative Rulemaking Act, prescribing the administration and requirements of this
95 section.

96 (7) This section is subject to and may be supplemented or altered by licensure
97 endorsement provisions or multistate licensure compacts in specific chapters of this title.

98 Section 2. Section 9-23-301.5 is enacted to read:

99 **9-23-301.5. License by endorsement.**

100 (1) As used in this section, "license" means an authorization that permits the holder to
101 engage in the practice of a profession regulated under this chapter.

102 (2) Subject to Subsections (4) through (6), the commission shall issue a license to an
103 applicant who has been licensed in another state, district, or territory of the United States if:

104 (a) the commission determines that the license issued by the other state, district, or
105 territory encompasses a similar scope of practice as the license sought in this state;

106 (b) the applicant has at least one year of experience practicing under the license issued
107 in the other state, district, or territory; and

108 (c) the applicant's license is in good standing in the other state, district, or territory.

109 (3) Subject to Subsections (4) through (6), the commission may issue a license to an
110 applicant who:

111 (a) has been licensed in another state, district, or territory of the United States, or in a
112 jurisdiction outside of the United States, if:

113 (i) (A) the commission determines that the applicant's education, experience, and skills
114 demonstrate competency in the profession for which licensure is sought in this state; and

115 (B) the applicant has at least one year of experience practicing under the license issued
116 in the other state, district, territory, or jurisdiction; or

117 (ii) the commission determines that the licensure requirements of the other state,
118 district, territory, or jurisdiction at the time the license was issued were substantially similar to
119 the requirements for the license sought in this state; or

120 (b) has never been licensed in a state, district, or territory of the United States, or in a

121 jurisdiction outside of the United States, if:

122 (i) the applicant was educated in or obtained relevant experience in a state, district, or
123 territory of the United States, or a jurisdiction outside of the United States; and

124 (ii) the commission determines that the education or experience was substantially
125 similar to the education or experience requirements for the license sought in this state.

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

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

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

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

133 (a) pay a fee determined by the commission under Section [63J-1-504](#); and

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

136 (6) The commission may make rules in accordance with Title 63G, Chapter 3, Utah
137 Administrative Rulemaking Act, prescribing the administration and requirements of this
138 section.

139 Section 3. Section **13-1-17** is enacted to read:

140 **13-1-17. License by endorsement.**

141 (1) As used in this section:

142 (a) "License" means, except as provided in Subsection (1)(b), an authorization that
143 permits the holder to engage in the practice of a profession regulated under this title.

144 (b) "License" does not include an authorization that permits the holder to engage in the
145 practice of a profession regulated by the Division of Real Estate under Title 61, Securities
146 Division - Real Estate Division, or the Division of Professional Licensing under Title 58,
147 Occupations and Professions.

148 (2) Subject to Subsections (4) through (7), the department shall issue a license to an
149 applicant who has been licensed in another state, district, or territory of the United States if:

150 (a) the department determines that the license issued by the other state, district, or
151 territory encompasses a similar scope of practice as the license sought in this state;

152 (b) the applicant has at least one year of experience practicing under the license issued
153 in the other state, district, or territory; and

154 (c) the applicant's license is in good standing in the other state, district, or territory.

155 (3) Subject to Subsections (4) through (7), the department may issue a license to an
156 applicant who:

157 (a) has been licensed in another state, district, or territory of the United States, or in a
158 jurisdiction outside of the United States, if:

159 (i) (A) the department determines that the applicant's education, experience, and skills
160 demonstrate competency in the profession for which licensure is sought in this state; and

161 (B) the applicant has at least one year of experience practicing under the license issued
162 in the other state, district, territory, or jurisdiction; or

163 (ii) the department determines that the licensure requirements of the other state,
164 district, territory, or jurisdiction at the time the license was issued were substantially similar to
165 the requirements for the license sought in this state; or

166 (b) has never been licensed in a state, district, or territory of the United States, or in a
167 jurisdiction outside of the United States, if:

168 (i) the applicant was educated in or obtained relevant experience in a state, district, or
169 territory of the United States, or a jurisdiction outside of the United States; and

170 (ii) the department determines that the education or experience was substantially
171 similar to the education or experience requirements for the license sought in this state.

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

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

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

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

179 (a) pay a fee determined by the department under Section [63J-1-504](#); and

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

182 (6) The department may make rules in accordance with Title 63G, Chapter 3, Utah

183 Administrative Rulemaking Act, prescribing the administration and requirements of this
184 section.

185 (7) This section is subject to and may be supplemented or altered by licensure
186 endorsement provisions or multistate licensure compacts in specific chapters of this title.

187 Section 4. Section **19-1-208** is enacted to read:

188 **19-1-208. License by endorsement.**

189 (1) As used in this section, "license" means an authorization that permits the holder to
190 engage in the practice of a profession regulated under this title.

191 (2) Subject to Subsections (4) through (7), the department shall issue a license to an
192 applicant who has been licensed in another state, district, or territory of the United States if:

193 (a) the department determines that the license issued by the other state, district, or
194 territory encompasses a similar scope of practice as the license sought in this state;

195 (b) the applicant has at least one year of experience practicing under the license issued
196 in the other state, district, or territory; and

197 (c) the applicant's license is in good standing in the other state, district, or territory.

198 (3) Subject to Subsections (4) through (7), the department may issue a license to an
199 applicant who:

200 (a) has been licensed in another state, district, or territory of the United States, or in a
201 jurisdiction outside of the United States, if:

202 (i) (A) the department determines that the applicant's education, experience, and skills
203 demonstrate competency in the profession for which licensure is sought in this state; and

204 (B) the applicant has at least one year of experience practicing under the license issued
205 in the other state, district, territory, or jurisdiction; or

206 (ii) the department determines that the licensure requirements of the other state,
207 district, territory, or jurisdiction at the time the license was issued were substantially similar to
208 the requirements for the license sought in this state; or

209 (b) has never been licensed in a state, district, or territory of the United States, or in a
210 jurisdiction outside of the United States, if:

211 (i) the applicant was educated in or obtained relevant experience in a state, district, or
212 territory of the United States, or a jurisdiction outside of the United States; and

213 (ii) the department determines that the education or experience was substantially

214 similar to the education or experience requirements for the license sought in this state.

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

216 (a) the department determines that there is reasonable cause to believe that the

217 applicant is not qualified to receive the license in this state; or

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

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

222 (a) pay a fee determined by the department under Section [63J-1-504](#); and

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

225 (6) The department may make rules in accordance with Title 63G, Chapter 3, Utah
226 Administrative Rulemaking Act, prescribing the administration and requirements of this
227 section.

228 (7) This section is subject to and may be supplemented or altered by licensure
229 endorsement provisions or multistate licensure compacts in specific chapters of this title.

230 Section 5. Section **26B-3-102** is enacted to read:

231 **26B-3-102. License by endorsement.**

232 (1) As used in this section, "license" means an authorization that permits the holder to
233 engage in the practice of a profession regulated under this title.

234 (2) Subject to Subsections (4) through (7), the department shall issue a license to an
235 applicant who has been licensed in another state, district, or territory of the United States if:

236 (a) the department determines that the license issued by the other state, district, or
237 territory encompasses a similar scope of practice as the license sought in this state;

238 (b) the applicant has at least one year of experience practicing under the license issued
239 in the other state, district, or territory; and

240 (c) the applicant's license is in good standing in the other state, district, or territory.

241 (3) Subject to Subsections (4) through (7), the department may issue a license to an
242 applicant who:

243 (a) has been licensed in another state, district, or territory of the United States, or in a
244 jurisdiction outside of the United States, if:

245 (i) (A) the department determines that the applicant's education, experience, and skills
246 demonstrate competency in the profession for which licensure is sought in this state; and
247 (B) the applicant has at least one year of experience practicing under the license issued
248 in the other state, district, territory, or jurisdiction; or
249 (ii) the department determines that the licensure requirements of the other state,
250 district, territory, or jurisdiction at the time the license was issued were substantially similar to
251 the requirements for the license sought in this state; or
252 (b) has never been licensed in a state, district, or territory of the United States, or in a
253 jurisdiction outside of the United States, if:
254 (i) the applicant was educated in or obtained relevant experience in a state, district, or
255 territory of the United States, or a jurisdiction outside of the United States; and
256 (ii) the department determines that the education or experience was substantially
257 similar to the education or experience requirements for the license sought in this state.
258 (4) The department may refuse to issue a license to an applicant under this section if:
259 (a) the department determines that there is reasonable cause to believe that the
260 applicant is not qualified to receive the license in this state; or
261 (b) the applicant has a previous or pending disciplinary action related to the applicant's
262 other license.
263 (5) Before the department issues a license to an applicant under this section, the
264 applicant shall:
265 (a) pay a fee determined by the department under Section [63J-1-504](#); and
266 (b) produce satisfactory evidence of the applicant's identity, qualifications, and good
267 standing in the profession for which licensure is sought in this state.
268 (6) The department may make rules in accordance with Title 63G, Chapter 3, Utah
269 Administrative Rulemaking Act, prescribing the administration and requirements of this
270 section.
271 (7) This section is subject to and may be supplemented or altered by licensure
272 endorsement provisions or multistate licensure compacts in specific chapters of this title.
273 Section 6. Section **35A-13-606.5** is enacted to read:
274 **35A-13-606.5. Certificate by endorsement.**
275 (1) As used in this section, "license" means an authorization that permits the holder to

276 engage in the practice of a profession described in Section 35A-13-605.

277 (2) Subject to Subsections (3) through (5), the director may issue a certificate described
278 in Section 35A-13-605 to an applicant who has been licensed in another state, district, or
279 territory of the United States, or in a jurisdiction outside of the United States, if:

280 (a) the director determines that the applicant's education, experience, and skills
281 demonstrate competency in the profession for which certification is sought; or

282 (b) the director determines that the licensure requirements of the other state, district,
283 territory, or jurisdiction at the time the license was issued were substantially similar to the
284 requirements for the certificate.

285 (3) The director may refuse to issue a certificate to an applicant under this section if:

286 (a) the director determines that there is reasonable cause to believe that the applicant is
287 not qualified to receive the certificate; or

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

290 (4) Before the director issues a certificate to an applicant under this section, the
291 applicant shall:

292 (a) pay a fee determined by the director under Section 35A-13-606; and

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

295 (5) The director may make rules in accordance with Title 63G, Chapter 3, Utah
296 Administrative Rulemaking Act, prescribing the administration and requirements of this
297 section.

298 Section 7. Section **40-2-403** is enacted to read:

299 **40-2-403. Certificate by endorsement.**

300 (1) As used in this section, "license" means an authorization that permits the holder to
301 engage in the practice of an occupation described in Section 40-2-402.

302 (2) Subject to Subsections (4) through (6), the commission shall issue a certificate
303 described in Section 40-2-401 to an applicant who has been licensed in another state, district,
304 or territory of the United States if:

305 (a) the commission determines that the license issued by the other state, district, or
306 territory encompasses a similar scope of practice as the certificate;

307 (b) the applicant has at least one year of experience practicing under the license issued
308 in the other state, district, or territory; and

309 (c) the applicant's license is in good standing in the other state, district, or territory.

310 (3) Subject to Subsections (4) through (6), the commission may issue a certificate
311 described in Section [40-2-401](#) to an applicant who:

312 (a) has been licensed in another state, district, or territory of the United States, or in a
313 jurisdiction outside of the United States, if:

314 (i) (A) the commission determines that the applicant's education, experience, and skills
315 demonstrate competency in the occupation for which certification is sought; and

316 (B) the applicant has at least one year of experience practicing under the license issued
317 in the other state, district, territory, or jurisdiction; or

318 (ii) the commission determines that the licensure requirements of the other state,
319 district, territory, or jurisdiction at the time the license was issued were substantially similar to
320 the requirements for the certificate; or

321 (b) has never been licensed in a state, district, or territory of the United States, or in a
322 jurisdiction outside of the United States, if:

323 (i) the applicant was educated in or obtained relevant experience in a state, district, or
324 territory of the United States, or a jurisdiction outside of the United States; and

325 (ii) the commission determines that the education or experience was substantially
326 similar to the education or experience requirements for the certificate.

327 (4) The commission may refuse to issue a certificate to an applicant under this section
328 if:

329 (a) the commission determines that there is reasonable cause to believe that the
330 applicant is not qualified to receive the certificate; or

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

333 (5) Before the commission issues a certificate to an applicant under this section, the
334 applicant shall:

335 (a) pay a fee determined by the commission under Section [63J-1-504](#); and

336 (b) produce satisfactory evidence of the applicant's identity, qualifications, and good
337 standing in the occupation for which certification is sought.

338 (6) The commission may make rules in accordance with Title 63G, Chapter 3, Utah
339 Administrative Rulemaking Act, prescribing the administration and requirements of this
340 section.

341 Section 8. Section **41-3-212** is enacted to read:

342 **41-3-212. License by endorsement.**

343 (1) As used in this section, "license" means an authorization that permits the holder to
344 engage in the practice of a profession regulated under this chapter.

345 (2) Subject to Subsections (4) through (6), the administrator shall issue a license to an
346 applicant who has been licensed in another state, district, or territory of the United States if:

347 (a) the administrator determines that the license issued by the other state, district, or
348 territory encompasses a similar scope of practice as the license sought in this state;

349 (b) the applicant has at least one year of experience practicing under the license issued
350 in the other state, district, or territory; and

351 (c) the applicant's license is in good standing in the other state, district, or territory.

352 (3) Subject to Subsections (4) through (6), the administrator may issue a license to an
353 applicant who:

354 (a) has been licensed in another state, district, or territory of the United States, or in a
355 jurisdiction outside of the United States, if:

356 (i) (A) the administrator determines that the applicant's education, experience, and
357 skills demonstrate competency in the profession for which licensure is sought in this state; and

358 (B) the applicant has at least one year of experience practicing under the license issued
359 in the other state, district, territory, or jurisdiction; or

360 (ii) the administrator determines that the licensure requirements of the other state,
361 district, territory, or jurisdiction at the time the license was issued were substantially similar to
362 the requirements for the license sought in this state; or

363 (b) has never been licensed in a state, district, or territory of the United States, or in a
364 jurisdiction outside of the United States, if:

365 (i) the applicant was educated in or obtained relevant experience in a state, district, or
366 territory of the United States, or a jurisdiction outside of the United States; and

367 (ii) the administrator determines that the education or experience was substantially
368 similar to the education or experience requirements for the license sought in this state.

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

370 (a) the administrator determines that there is reasonable cause to believe that the

371 applicant is not qualified to receive the license in this state; or

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

373 other license.

374 (5) Before the administrator issues a license to an applicant under this section, the

375 applicant shall:

376 (a) pay a fee determined by the commission under Section [63J-1-504](#); and

377 (b) produce satisfactory evidence of the applicant's identity, qualifications, and good

378 standing in the profession for which licensure is sought in this state.

379 (6) The administrator may make rules in accordance with Title 63G, Chapter 3, Utah

380 Administrative Rulemaking Act, prescribing the administration and requirements of this

381 section.

382 Section 9. Section **53-1-122** is enacted to read:

383 **53-1-122. License by endorsement.**

384 (1) As used in this section, "license" means an authorization that permits the holder to
385 engage in the practice of a profession regulated under this title.

386 (2) Subject to Subsections (4) through (7), the commissioner shall issue a license to an
387 applicant who has been licensed in another state, district, or territory of the United States if:

388 (a) the commissioner determines that the license issued by the other state, district, or

389 territory encompasses a similar scope of practice as the license sought in this state;

390 (b) the applicant has at least one year of experience practicing under the license issued

391 in the other state, district, or territory; and

392 (c) the applicant's license is in good standing in the other state, district, or territory.

393 (3) Subject to Subsections (4) through (7), the commissioner may issue a license to an

394 applicant who:

395 (a) has been licensed in another state, district, or territory of the United States, or in a
396 jurisdiction outside of the United States, if:

397 (i) (A) the commissioner determines that the applicant's education, experience, and

398 skills demonstrate competency in the profession for which licensure is sought in this state; and

399 (B) the applicant has at least one year of experience practicing under the license issued

400 in the other state, district, territory, or jurisdiction; or

401 (ii) the commissioner determines that the licensure requirements of the other state,
402 district, territory, or jurisdiction at the time the license was issued were substantially similar to
403 the requirements for the license sought in this state; or

404 (b) has never been licensed in a state, district, or territory of the United States, or in a
405 jurisdiction outside of the United States, if:

406 (i) the applicant was educated in or obtained relevant experience in a state, district, or
407 territory of the United States, or a jurisdiction outside of the United States; and

408 (ii) the commissioner determines that the education or experience was substantially
409 similar to the education or experience requirements for the license sought in this state.

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

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

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

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

418 (a) pay a fee determined by the department under Section [63J-1-504](#); and

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

421 (6) The commissioner may make rules in accordance with Title 63G, Chapter 3, Utah
422 Administrative Rulemaking Act, prescribing the administration and requirements of this
423 section.

424 (7) This section is subject to and may be supplemented or altered by licensure
425 endorsement provisions or multistate licensure compacts in specific chapters of this title.

426 Section 10. Section **53E-6-205** is enacted to read:

427 **53E-6-205. License by endorsement.**

428 (1) Subject to Subsections (3) through (6), the state board shall issue a license to an
429 applicant who has been issued a certificate in another state, district, or territory of the United
430 States if:

- 431 (a) the state board determines that the certificate encompasses a similar scope of
432 practice as the license sought in this state;
- 433 (b) the applicant has at least one year of experience practicing under the certificate; and
434 (c) the applicant's certificate is in good standing in the other state, district, or territory.
- 435 (2) Subject to Subsections (3) through (6), the state board may issue a license to an
436 applicant who:
- 437 (a) has been issued a certificate in another state, district, or territory of the United
438 States, or in a jurisdiction outside of the United States, if:
- 439 (i) (A) the state board determines that the applicant's education, experience, and skills
440 demonstrate competency in the profession for which licensure is sought in this state; and
441 (B) the applicant has at least one year of experience practicing under the certificate; or
442 (ii) the state board determines that the certification requirements of the other state,
443 district, territory, or jurisdiction at the time the certificate was issued were substantially similar
444 to the requirements for the license sought in this state; or
- 445 (b) has never been issued a certificate in a state, district, or territory of the United
446 States, or in a jurisdiction outside of the United States, if:
- 447 (i) the applicant was educated in or obtained relevant experience in a state, district, or
448 territory of the United States, or a jurisdiction outside of the United States; and
449 (ii) the state board determines that the education or experience was substantially
450 similar to the education or experience requirements for the license sought in this state.
- 451 (3) The state board may refuse to issue a license to an applicant under this section if:
- 452 (a) the state board determines that there is reasonable cause to believe that the applicant
453 is not qualified to receive the license in this state; or
- 454 (b) the applicant has a previous or pending disciplinary action related to the applicant's
455 certificate.
- 456 (4) Before the state board issues a license to an applicant under this section, the
457 applicant shall:
- 458 (a) pay a fee determined by the state board under Section [63J-1-504](#); and
459 (b) produce satisfactory evidence of the applicant's identity, qualifications, and good
460 standing in the profession for which licensure is sought in this state.
- 461 (5) The state board may make rules in accordance with Title 63G, Chapter 3, Utah

462 Administrative Rulemaking Act, prescribing the administration and requirements of this
 463 section.

464 (6) This section is subject to and may be supplemented or altered by licensure
 465 endorsement provisions or multistate licensure compacts in specific chapters of this chapter.

466 Section 11. Section **58-1-302** is amended to read:

467 **58-1-302. License by endorsement.**

468 (1) As used in this section, "license" means an authorization that permits the holder to
 469 engage in the practice of a profession regulated under this title.

470 (2) Subject to Subsections (3) through (6), the division shall issue a license to [~~a~~
 471 ~~person]~~ an applicant who has been licensed in [~~a~~] another state, district, or territory of the
 472 United States if:

473 (a) the division determines that the license issued in the other state, district, or territory
 474 encompasses a similar scope of practice as the license sought in this state;

475 (b) [~~after being licensed outside of this state, the person]~~ the applicant has at least one
 476 year of experience practicing under the license issued in the other state, district, or territory [~~of~~
 477 ~~the United States]~~ [~~where the license was issued~~]; and

478 [~~(b)~~] (c) the [~~person's~~] applicant's license is in good standing in the other state, district,
 479 or territory [~~of the United States]~~ where the license was issued[~~; and~~].

480 [~~(c) the division determines that the license issued by the state, district, or territory of~~
 481 ~~the United States encompasses a similar scope of practice as the license sought in this state.]~~

482 [~~(2)~~] (3) Subject to Subsections (3) through (6), the division may issue a license to [~~a~~
 483 ~~person]~~ an applicant who:

484 (a) has been licensed in [~~a~~] another state, district, or territory of the United States, or in
 485 a jurisdiction outside of the United States, if:

486 (i) (A) the division determines that the applicant's education, experience, and skills
 487 demonstrate competency in the profession for which the licensure is sought in this state; and

488 (B) [~~after being licensed, the person]~~ the applicant has at least one year of experience
 489 practicing under the license issued in the other state, district, territory, or jurisdiction [~~where~~
 490 ~~the license was issued~~]; [~~and~~] or

491 [~~(B) the division determines that the person's education, experience, and skills~~
 492 ~~demonstrate competency in the occupation or profession for which the person seeks licensure;~~

493 or]

494 (ii) the division determines that the licensure requirements of the other state, district,
495 territory, or jurisdiction at the time the license was issued were substantially similar to the
496 current [~~licensure~~] requirements [~~of~~] for the license sought in this state; or

497 (b) has never been licensed in a state, district, or territory of the United States, or in a
498 jurisdiction outside of the United States, if:

499 (i) the [~~person~~] applicant was educated in or obtained relevant experience in a state,
500 district, or territory of the United States, or a jurisdiction outside of the United States; and

501 (ii) the division determines that the education or experience was substantially similar to
502 the current education or experience requirements for [~~licensure~~] the license sought in this state.

503 [~~(3) The division, in consultation with the applicable licensing board, may make rules~~
504 ~~in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, prescribing the~~
505 ~~administration and requirements of this section.]~~

506 (4) The division may refuse to issue a license to [~~a person under the provisions of~~] an
507 applicant under this section if:

508 (a) the division determines that there is reasonable cause to believe that the [~~person~~]
509 applicant is not qualified to receive [~~a~~] the license in this state; or

510 (b) the [~~person~~] applicant has a previous or pending disciplinary action related to the
511 [~~person's~~] applicant's license.

512 (5) Before [~~a person may be issued~~] the division issues a license to an applicant under
513 this section, the [~~person~~] applicant shall:

514 (a) pay a fee determined by the department under Section 63J-1-504; and

515 (b) produce satisfactory evidence of the [~~person's~~] applicant's identity, qualifications,
516 and good standing in the [~~occupation or~~] profession for which licensure is sought in this state.

517 (6) The division, in consultation with the applicable licensing board, may make rules in
518 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, prescribing the
519 administration and requirements of this section.

520 [~~(6)~~] (7) In accordance with Section 58-1-107, licensure endorsement provisions in this
521 section are subject to and may be supplemented or altered by licensure endorsement provisions
522 or multistate licensure compacts in specific chapters of this title.

523 [~~(7) On or before October 1, 2022, the division shall provide a written report to the~~

524 ~~Business and Labor Interim Committee regarding the effectiveness and sufficiency of the~~
525 ~~provisions of this section at ensuring that persons receiving a license without examination~~
526 ~~under the provisions of this section are qualified to receive a license in this state.]~~

527 Section 12. Section **72-9-602.5** is enacted to read:

528 **72-9-602.5. Certificate by endorsement.**

529 (1) As used in this section, "license" means an authorization that permits the holder to
530 engage in the practice of a profession described in Section [72-9-602](#).

531 (2) Subject to Subsections (4) through (6), the department shall issue a certificate
532 described in Section [72-9-602](#) to an applicant who has been licensed in another state, district,
533 or territory of the United States if:

534 (a) the department determines that the license issued by the other state, district, or
535 territory encompasses a similar scope of practice as the certificate;

536 (b) the applicant has at least one year of experience practicing under the license issued
537 in the other state, district, or territory; and

538 (c) the applicant's license is in good standing in the other state, district, or territory.

539 (3) Subject to Subsections (4) through (6), the department may issue a certificate
540 described in Section [72-9-602](#) to an applicant who:

541 (a) has been licensed in another state, district, or territory of the United States, or in a
542 jurisdiction outside of the United States, if:

543 (i) (A) the department determines that the applicant's education, experience, and skills
544 demonstrate competency in the occupation for which certification is sought; and

545 (B) the applicant has at least one year of experience practicing under the license issued
546 in the other state, district, territory, or jurisdiction; or

547 (ii) the department determines that the licensure requirements of the other state,
548 district, territory, or jurisdiction at the time the license was issued were substantially similar to
549 the requirements for the certificate; or

550 (b) has never been licensed in a state, district, or territory of the United States, or in a
551 jurisdiction outside of the United States, if:

552 (i) the applicant was educated in or obtained relevant experience in a state, district, or
553 territory of the United States, or a jurisdiction outside of the United States; and

554 (ii) the department determines that the education or experience was substantially

555 similar to the education or experience requirements for the certificate.

556 (4) The department may refuse to issue a certificate to an applicant under this section

557 if:

558 (a) the department determines that there is reasonable cause to believe that the

559 applicant is not qualified to receive the certificate; or

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

561 other license.

562 (5) Before the department issues a certificate to an applicant under this section, the

563 applicant shall:

564 (a) pay a fee determined by the department under Section [63J-1-504](#); and

565 (b) produce satisfactory evidence of the applicant's identity, qualifications, and good

566 standing in the occupation for which certification is sought.

567 (6) The department may make rules in accordance with Title 63G, Chapter 3, Utah

568 Administrative Rulemaking Act, prescribing the administration and requirements of this

569 section.