

Little Hoover Commission
Hearing on Occupational Licensing
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Testimony of
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On behalf of the Deputy Assistant Secretary of Defense, Military Community and Family Policy, I would like to thank you for the opportunity to submit testimony on occupational licensure requirements and their impact on Service members and their spouses. My name is Dr. Laurie Crehan and I work for the Department of Defense State Liaison Office. Since many issues surrounding quality of life and family well-being can only be addressed by states, the Department of Defense started the USA4MilitaryFamilies initiative under the Office of the Deputy Assistant Secretary of Defense, Military Community and Family Policy. The State Liaison Office seeks to engage state policymakers and other state leaders in addressing the needs of military members and their families. By developing state/military partnerships, the Department of Defense works with states to remove unnecessary barriers and significantly improve the quality of life for military families. The State Liaison's position papers on licensure for separating Service members and military spouses are attached to this testimony.

Separating Service Member Licensure

While the unemployment rate for veterans has been dropping in recent years, separating Service members are frequently delayed getting post-Service employment even though they have applicable military education, training, and experience which can help them

meet state licensing requirements. In February 2016, the Bureau of Labor Statistics listed the unemployment rate among Post 9/11 veterans nationwide at 4.7%.

In working with states, the Department of Defense is asking licensing boards to accept military education, training, or experience that is substantially equivalent to the requirements mandated by the state for obtaining a license. Even in cases where the licensing authority determines that the Service member's education, training, and experience only fulfills part of the licensing criteria of the state, the Service member will still save time and expense and be able to enter the workforce more quickly if the licensing boards accept that service toward licensure requirements. This practice alleviates the need for separating Service members to expend time and resources repeating education and training they have already completed while in the military. This training and education has already been paid for by us, the taxpayers.

All 50 states have made some progress towards this goal. California addresses the issue of licensure in its code.

Business and Professions Code, Section 35

35. It is the policy of this state that, consistent with the provision of high-quality services, persons with skills, knowledge, and experience obtained in the armed services of the United States should be permitted to apply this learning and contribute to the employment needs of the state at the maximum level of responsibility and skill for which they are qualified. To this end, rules and regulations of boards provided for in this code shall provide for methods of evaluating education, training, and experience obtained in the armed services, if applicable to the requirements of the business, occupation, or profession regulated. These rules and regulations shall also specify how this education, training, and experience may be used to meet the licensure requirements for the particular business, occupation, or profession regulated. Each board shall consult with the Department of Veterans Affairs and the Military Department before adopting these rules and regulations. Each board shall perform the duties required by this section within existing budgetary resources of the agency within which the board operates.

The California Department of Consumer Affairs completed a review in 2012 of all licensing boards in California regarding whether or not they accept military education, training, and experience. Their findings are included in the following publication:

http://www.dca.ca.gov/publications/military_legislature.pdf

The Department of Defense recognizes that if we are going to ask credentialing bodies to evaluate military training and experience, we have to make it easier for them to do so. In this regard, we are evaluating how we make that information available to the licensing authorities.

- First, a Joint Services Transcript has been developed to make sure the transcripts for each Service is standardized and accessible in one location. We are working with the Services and with credentialing organizations to see how we can make these transcripts more understandable to non-military audiences.
- Second, since some credentials require an individual to have completed an approved or accredited training program, we are determining which credentials related to military occupations require training program approval or accreditation and identifying methods of facilitating this.
- Finally, a key aspect of providing accrediting and credentialing agencies the ability to assess military training is making the training programs of instruction (POIs) available to them for review. Currently, the Services each have their own policies and procedures related to development and maintenance of POIs and there is no centralized location for agencies to access them. Ensuring POIs have some degree of standardization and are more easily accessible to accrediting and credentialing agencies and educational

institutions will make it easier for them to assess whether the military training courses meet their criteria.

Military Spouse Licensure

One primary concern for the Department of Defense is retention of Service members and its impact on military readiness. We know that most decisions to stay in the military are made around the kitchen table and not in the personnel office. To retain our trained and experienced military, we must retain the family. The Defense Manpower Data Center reported in a survey of active duty Service members that 59% of our military are married. Additionally, that percentage increases to 72% for non-commissioned officers and 73% for officers. These two groups possess the critical experience necessary for our professional armed forces. Sixty-eight percent of married Service members reported their spouse's ability to maintain a career impacts their decision to remain in the military by a large or moderate extent, thus making the ability of the spouse to obtain a professional license in each state of assignment an influence on national security.

Over 70% of military spouses say they want to work or need to work. Military families are not unlike their civilian counterparts; they depend on two incomes, and like anyone else, want to achieve their goals and aspirations. Military spouses relocate on average every 2-3 years. The annual percent of the military spouse population that moves across state lines is 14.5% - compared to 1.1% for civilian spouses.

In 2007, the RAND Corporation published a study; "Working Around the Military," in which they indicated that military spouses had more education than their civilian 'look alike'

counterparts, yet on average are employed at lower rates and earn less. This result is indicative of a mobile lifestyle which does not support military spouses expediting the transfer of their professional licenses and often leads them into taking lower paying positions below their training and certifications.

The Defense State Liaison Office conducted an informal study to identify some of the barriers hindering military spouses from attaining licenses following a military move. In a review of twenty states, using the top five highest demand professions according to the US Department of Labor, the licensing timeline was delayed up to 6 months due to the exam process, application process, or requirement for background checks. This delay in licensing means military spouses have little time left in their assignment to find a job and employers are less likely to hire military spouses because they will have less time in the position before being transferred out of State.

The Department of Defense is working with states to assist in the licensure of military spouses through policy to provide licensure by endorsement, temporary licenses, and expedited procedures for obtaining a license. The attached DoD position paper describes how states have been addressing these three approaches. California has passed legislation recently that provides for some temporary licenses and expedited licenses.

Business and Profession Code, Sections 115.5 – 115.6

115.5.

(a) A board within the department shall expedite the licensure process for an applicant who meets both of the following requirements:

(1) Supplies evidence satisfactory to the board that the applicant is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders.

(2) Holds a current license in another state, district, or territory of the United States in the profession or vocation for which he or she seeks a license from the board.

(b) A board may adopt regulations necessary to administer this section.

(Added by Stats. 2012, Ch. 399, Sec. 1. Effective January 1, 2013.)

115.6.

(a) A board within the department shall, after appropriate investigation, issue the following eligible temporary licenses to an applicant if he or she meets the requirements set forth in subdivision (c):

(1) Registered nurse license by the Board of Registered Nursing.

(2) Vocational nurse license issued by the Board of Vocational Nursing and Psychiatric Technicians of the State of California.

(3) Psychiatric technician license issued by the Board of Vocational Nursing and Psychiatric Technicians of the State of California.

(4) Speech-language pathologist license issued by the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board.

(5) Audiologist license issued by the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board.

(6) Veterinarian license issued by the Veterinary Medical Board.

(7) All licenses issued by the Board for Professional Engineers, Land Surveyors, and Geologists.

(8) All licenses issued by the Medical Board of California.

(b) The board may conduct an investigation of an applicant for purposes of denying or revoking a temporary license issued pursuant to this section. This investigation may include a criminal background check.

(c) An applicant seeking a temporary license pursuant to this section shall meet the following requirements:

(1) The applicant shall supply evidence satisfactory to the board that the applicant is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders.

(2) The applicant shall hold a current, active, and unrestricted license that confers upon him or her the authority to practice, in another state, district, or territory of the United States, the profession or vocation for which he or she seeks a temporary license from the board.

(3) The applicant shall submit an application to the board that shall include a signed affidavit attesting to the fact that he or she meets all of the requirements for the temporary license and that the information submitted in the application is accurate, to the best of his or her knowledge. The application shall also include written verification from the applicant's original licensing jurisdiction stating that the applicant's license is in good standing in that jurisdiction.

(4) The applicant shall not have committed an act in any jurisdiction that would have constituted grounds for denial, suspension, or revocation of the license under this code at the time the act was committed. A violation of this paragraph may be grounds for the denial or revocation of a temporary license issued by the board.

(5) The applicant shall not have been disciplined by a licensing entity in another jurisdiction and shall not be the subject of an unresolved complaint, review procedure, or disciplinary proceeding conducted by a licensing entity in another jurisdiction.

(6) The applicant shall, upon request by a board, furnish a full set of fingerprints for purposes of conducting a criminal background check.

(d) A board may adopt regulations necessary to administer this section.

(e) A temporary license issued pursuant to this section may be immediately terminated upon a finding that the temporary license holder failed to meet any of the requirements described in subdivision (c) or provided substantively inaccurate information that would affect his or her eligibility for temporary licensure. Upon termination of the temporary license, the board shall issue a notice of termination that shall require the temporary license holder to immediately cease the practice of the licensed profession upon receipt.

(f) An applicant seeking a temporary license as a civil engineer, geotechnical engineer, structural engineer, land surveyor, professional geologist, professional geophysicist, certified engineering geologist, or certified hydro geologist pursuant to this section shall successfully pass the appropriate California-specific examination or examinations required for licensure in those respective professions by the Board for Professional Engineers, Land Surveyors, and Geologists.

(g) A temporary license issued pursuant to this section shall expire 12 months after issuance, upon issuance of an expedited license pursuant to Section 115.5, or upon denial of the application for expedited licensure by the board, whichever occurs first.

While CA has begun to address the issue of licensure for spouses and separating Service members, we do not have current evidence of how these statutes are being implemented. The DoD State Liaison Office is working with Land-Grant University to study how states are enacting

these approaches and the impact it is having on separating Service member and spouse employment.

It is certainly in the interest of states to make every effort to attract veterans to their states and to be viewed as a military friendly state. By removing barriers to licensure for our veterans and military spouses, states can demonstrate their support for our Armed Forces. T

Thank you for this opportunity to provide this testimony. I am willing to address any of your questions.



REMOVING LICENSURE IMPEDIMENTS FOR TRANSITIONING MILITARY SPOUSES

States can modify licensing requirements and processes, which impede military spouses from becoming employed following a military move.

KEY MESSAGE: Many occupations require a state license, often with state-specific conditions and processes, which can cause lengthy re-employment delays for military spouses moving between states. Because of these delays and the expense involved in re-licensure, many spouses decide not to practice in their professions. This is a financial and career choice issue for military members and their spouses, impacting their desire to stay in the military.



DISCUSSION POINTS:

- States have enacted legislation using one or more of the following approaches:
 - **35 states** have supporting endorsement policy or have modified their license by endorsement (which allows a state board or regulator to recognize active credentials from another state) to allow options that accommodate gaps in employment for military spouses with active licenses from another state.
 - **43 states** provide temporary licenses to allow a military spouse with a current license to secure employment while completing state requirements that may be substantially different from what was required by the previous licensing state or while awaiting verification of current license, certification and/or employment history for an endorsement.
 - **34 states** have expedited procedures for regulatory department or board approval to provide opportunity for spouses to obtain an endorsed, temporary, based on acceptance of the information provided in the application. The department director or licensing boards release the license, and afterwards validate the documents from states and institutions, having opportunity to take further action if there are discrepancies in the application.
- The Department of Defense (DoD) views these options as having a cumulative effect when applied together to provide military spouses flexibility in order to overcome the circumstances that limit their professional opportunities. **DoD encourages states to enact changes that will support all three approaches.**

Sixty-eight percent of married Service members reported their spouse's ability to maintain a career impacts their decision to remain in the military by a large or moderate extent.¹

Seventy-seven percent of military spouses report they want or need to work.²

The annual percent of the military spouse population that moves across state lines is 14.5 percent – compared to 1.1 percent for civilian spouses.³

As much as 34 percent of military spouses in the labor force are required to be fully licensed. Nineteen percent of employed spouses experience challenges maintaining their licenses.⁴

¹ Defense Manpower Data Center (DMDC) Status of Force Survey of Active Duty Members, April 2008

² 2008 Survey of Active Duty Spouses, DMDC

³ Current Population Survey data 2008 – 2010

⁴ Blue Star Families survey, May 2010



LICENSURE/ACADEMIC CREDIT FOR SEPARATING SERVICE MEMBER

Separating Service members are frequently delayed getting post-Service employment even though they have applicable military education, training and experience which can qualify them for licenses and/or provide academic credit toward degree requirements.

KEY MESSAGE: Separating Service members leave the military with documented training and experience that can prepare them for civilian employment; however, this documentation is not always used by state entities to qualify them for licenses required for their occupation or to provide them academic credit. Reported unemployment rates of separating Service members that are higher than national averages have brought attention to supporting issues such as expedited licensure and increased academic credit recognition to alleviate this problem.



DISCUSSION POINTS:

- The DoD is enhancing its existing processes to assist Service members with their professional development and with their transition to civilian jobs; however these will not by themselves overcome some of the inherent disconnects in converting military training and experience:
 - The Military Services provide Service members opportunities while on active duty to determine certifications that they may need when they transition to civilian occupations.
 - DoD and the Military Services provide each Service member a transcript of their experience and training; however, these transcripts are not always adequate for civilian institutions to assess for possible academic credit and by licensing boards to assess for license requirements.
- Additionally, the American Council on Education (ACE) has established college credit recommendations for the learning experiences, which are published in the *ACE Guide to the Evaluation of Educational Experiences in the Armed Services*. This document provides the mechanism, but not a requirement for academic institutions to accept military training and experience.
- Through statute and regulation, states can establish requirements for licensure boards to:
 - Qualify separating Service members to obtain credit toward occupational licenses based on their military education, training and experience that is essentially equivalent to licensing requirements;
 - Allow separating Service members remaining in that state to transfer a current license from another state through endorsement or temporary licensing; and
 - Allow deactivating Reserve Component members to practice in the state of origin for a temporary period with a license that would have otherwise expired while on active duty.
- Likewise, states can establish requirements for academic institutions to grant separating Service members credit towards degree and certificate requirements for education, training and experience gained in the military.

“The growing confidence on the part of veterans and employers means veteran employment is moving in the right direction, but gaps remain in veteran retention programs among employers, translating military skills to civilian ones, and credentialing. Increased emphasis in these areas will not only help veterans find employment, but will help employers retain the veteran talent they work hard to recruit.”¹

¹ Monster/Military.com, “Veterans Talent Index: Insights and Analysis from Veterans, Recruiters and Hiring Managers,” 8th Edition, July 2015, page 5