Rule: 882.60. Special Provisions Applying to Military Service Members, Veterans, and Spouses.

Action: Proposed Amendments

Comment: The proposed amendments align the Council’s rules with changes made to Texas Occupations Code Chapter 55 by the 89th Legislature regarding licensing of military service members, veterans, and spouses.

§882.60. Special Provisions Applying to Military Service Members, Veterans, and Spouses.

(a) The Council adopts by reference the definitions set forth in Chapter 55 of the Occupations Code.

(b) A license may be issued to a military service member, military veteran, or military spouse upon proof of one of the following:

(1) the applicant holds a current license in good standing in another jurisdiction that has a similar scope of practice as ~~licensing requirements that are substantially equivalent to the requirements for~~ the license sought in this state; or

(2) within the five years preceding the application date, the applicant held the license sought in this state.

(c) An applicant applying as a military spouse must submit proof of marriage to a military service member.

(d) ~~Each member board shall develop and maintain a method for determining substantial equivalency under subsection (b) of this section.~~

(e) As part of the application process, the Executive Director may waive any prerequisite for obtaining a license, other than the requirements in subsection (b) of this section, the jurisprudence examination, and the fingerprint criminal history background check, if it is determined that the applicant's education, training, and experience provide reasonable assurance that the applicant has the knowledge and skills necessary for entry-level practice under the license sought. When making this determination, the Executive Director must consult with the relevant member board or its designated application or licensing committee and consider the board's or committee's input and recommendations. In the event the Executive Director does not follow a recommendation of the board or committee, the Executive Director must submit a written explanation to the board or committee explaining why its recommendation was not followed. No waiver may be granted where a military service member or military veteran holds a license issued by another jurisdiction that has been restricted, or where the applicant has a disqualifying criminal history.

(f) Each member board may develop and maintain alternate methods for a military service member, military veteran, or military spouse to demonstrate competency in meeting the requirements for obtaining a license, including receiving appropriate credit for training, education, and professional experience.

(g) Each member board shall develop and maintain a method for applying credit toward license eligibility requirements for applicants who are military service members or military veterans with verifiable military service, training, or education. An applicant may not receive credit toward licensing requirements under this subsection if the applicant holds another license that has been restricted, or the applicant has a disqualifying criminal history.

(h) The initial renewal date for a license issued pursuant to this rule shall be set in accordance with the agency's rule governing initial renewal dates.