

HOUSE BILL NO. 6284

June 30, 2022, Introduced by Reps. Martin, Posthumus, Harris and Tisdell and referred to the Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending section 217 (MCL 339.217), as added by 2021 PA 26, and
by adding section 218.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 217. (1) Subject to subsection (2), the department shall
2 issue a license or a certificate of registration for an occupation
3 under this act without examination to an individual who
4 demonstrates to the satisfaction of the department that he or she

1 meets all of the following at the time of application:

2 (a) Provides proof that the individual is 1 of the following:

3 (i) A member of the armed forces or uniformed services.

4 (ii) A veteran.

5 (iii) A dependent of a member of the armed forces, a member of
6 the uniformed services, or a veteran.

7 (b) Holds a valid license or registration in that occupation
8 from an equivalent licensing department, board, or authority, as
9 determined by the department, in at least 1 other state of the
10 United States. For each license or registration described in this
11 subdivision that he or she holds, all of the following must be met:

12 (i) The license or registration is in good standing. ~~and he or~~
13 ~~she has held that license or registration for at least 1 year.~~

14 (ii) There were minimum education requirements and, if
15 applicable, work experience requirements in effect for licensure or
16 registration in the other state, and the other state verifies that
17 he or she met those requirements for licensure or registration in
18 that state.

19 (iii) If the other state required an examination for licensure
20 or registration, he or she passed the examination.

21 ~~(iv) The requirements for licensure or registration in the~~
22 ~~other state are substantially equivalent to or exceed the~~
23 ~~requirements of this act and any rule promulgated under this act~~
24 ~~for the license or registration.~~

25 (c) Has not had a license or registration revoked, and has not
26 voluntarily surrendered a license or registration, in any other
27 state of the United States or a foreign country while under
28 investigation for unprofessional conduct.

29 (d) Has not had discipline imposed by any equivalent licensing

1 department, board, or authority in another state of the United
2 States. If another state of the United States has taken
3 disciplinary action against the ~~applicant~~, **individual**, the
4 department shall determine if the cause for the action was
5 corrected and the matter resolved. If the matter has not been
6 resolved by that other state, the department shall not issue or
7 deny a license or registration until the matter is resolved.

8 (e) Does not have a complaint, allegation, or investigation
9 pending before an equivalent licensing department, board, or
10 authority in another state of the United States or a foreign
11 country that relates to unprofessional conduct. If the ~~applicant~~
12 **individual** has any complaints, allegations, or investigations
13 pending, the department shall suspend the application process and
14 shall not issue or deny a license or registration to the ~~applicant~~
15 **individual** until the complaint, allegation, or investigation is
16 resolved.

17 (f) Pays all applicable fees.

18 (g) Is of good moral character.

19 (h) Meets the age requirement of that occupation under this
20 act, if applicable.

21 (2) If the department determines that the issuance of a
22 license or a certificate of registration under subsection (1) for
23 an occupation under this act may result in a violation of a federal
24 oversight or licensing guideline for that occupation, the
25 department shall not issue a license or a certificate of
26 registration.

27 (3) This section does not prevent the department from issuing
28 a temporary license under section 213, a courtesy license under
29 section 1806a, or issuing a license under section 726, 1108(2),

1 1211, 1806(9), 2013, 2209, or 2623.

2 Sec. 218. (1) The department shall issue a license or a
3 certificate of registration for an occupation under this act to an
4 individual who does not meet the requirements under section
5 217(1) (a) if the individual demonstrates to the satisfaction of the
6 department that he or she meets all of the following at the time of
7 application:

8 (a) Holds a valid license or registration in that occupation
9 from an equivalent licensing department, board, or authority, as
10 determined by the department, in at least 1 other state of the
11 United States. For each license or registration described in this
12 subdivision that he or she holds, all of the following must be met:

13 (i) The license or registration is in good standing, and the
14 individual has held the license or registration for not less than 6
15 months.

16 (ii) There were minimum education requirements and, if
17 applicable, work experience requirements in effect for licensure or
18 registration in the other state, and the other state verifies that
19 he or she met those requirements for licensure or registration in
20 the other state.

21 (iii) If the other state required an examination for licensure
22 or registration, he or she passed the examination.

23 (b) Has not had a license or registration revoked, and has not
24 voluntarily surrendered a license or registration, in any other
25 state of the United States or a foreign country while under
26 investigation for unprofessional conduct.

27 (c) Has not had discipline imposed by an equivalent licensing
28 department, board, or authority in another state of the United
29 States. If another state of the United States has taken

1 disciplinary action against the individual, the department must
2 determine if the cause for the action was corrected and the matter
3 resolved. If the matter has not been resolved by the other state,
4 the department shall suspend the application process and shall not
5 issue or deny a license or registration to the individual until the
6 matter is resolved.

7 (d) Does not have a complaint, allegation, or investigation
8 pending before an equivalent licensing department, board, or
9 authority in another state of the United States or a foreign
10 country that relates to unprofessional conduct. If the individual
11 has any complaints, allegations, or investigations pending, the
12 department must suspend the application process and not issue or
13 deny a license or registration to the individual until the
14 complaint, allegation, or investigation is resolved.

15 (e) Subject to subsection (4), pays all applicable fees.

16 (f) Is of good moral character.

17 (2) This section does not prevent the department from issuing
18 a temporary license under section 213, a courtesy license under
19 section 1806a, or issuing a license under section 726, 1108(2),
20 1211, 1806(9), 2013, 2209, or 2623.

21 (3) This section does not apply to a license issued under an
22 interstate licensing compact applicable to an occupation under this
23 act, does not apply to any licensing criteria established under an
24 interstate licensing compact applicable to an occupation under this
25 act, and does not make an individual who is licensed under this
26 section eligible to be part of an interstate licensing compact
27 applicable to an occupation under this act.

28 (4) The department shall not charge an individual who applies
29 for a license or certificate of registration under this section a

1 fee in an amount that exceeds the amount charged by the department
2 to an individual who applies for the same license or registration
3 under this act.