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Prepared by: Michael Graham
Reviewed by: Ken Rocco
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Measure Description:

Allows professional licensing board to accept as authorization to provide occupational or professional service out-of-state authorization of spouse of member of Armed Forces of United States who is stationed in Oregon.

Government Unit(s) Affected:

Statewide

Summary of Fiscal Impact:

Costs related to the measure are indeterminate at this time - See explanatory analysis.

Analysis:

The measure would permit professional licensing boards that regulate occupational or professional services in the State of Oregon to authorize the spouse of an active duty service member of the United States Armed Forces stationed in Oregon to practice the licensee spouse’s profession until the service member spouse completes his or her term of service in Oregon. Licensees would need to provide proof that they are in good standing with the professional licensing board from the jurisdiction that already licenses them. Professional licensing boards would be required to revoke authorization to practice once the service member spouse completes his or her term of service in Oregon. Professional licensing boards would be permitted to adopt administrative rules to implement the measure. The measure would become operative January 1, 2020 and would take effect 91 days after the Legislative Assembly adjourns *sine die*.

While the measure would not require professional licensing boards to authorize out-of-state, licensee spouses to practice in Oregon, this fiscal impact statement assumes that they would do so.

There are several variables that make the fiscal impact of this measure indeterminate. First, the measure would permit professional licensing boards to accept “a person’s current authorization to provide occupational or professional services in another state” that is documented by “sufficient proof that the person is in good standing with the issuing out-of-state professional licensing board.” This implies that the person must be authorized by another state, but it is unclear whether prerequisites to licensure would suffice, such as clinical externships. Second, it is unclear whether the person would be entitled to a contested case hearing upon revocation of authorization. Third, professional licensing boards would need to determine what constitutes “sufficient proof that the person is in good standing with the issuing out-of-state professional licensing board,” as well as how it must be documented. Boards would also need to establish processes for verifying and documenting the terms of service in Oregon of the person’s spouse, as well as processes for revoking authorization once the term of service is complete. This might require administrative rulemaking, including filing proposed rules with the Secretary of State, holding public hearings, receiving public comments and adopting rules. Lastly, it is unclear how many spouses would apply for authorization to practice in Oregon. Depending on how many apply, the measure could increase the time professional licensing board staff spend investigating an applicant’s standing in other states and reviewing other states’ ethical and professional standards.

For the foregoing reasons, the fiscal impact of the measure is indeterminate.