



March 20, 2019

Representative Jeff Barker, Chair  
House Committee on Business and Labor

RE: HB 3030

Dear Chair Barker,

The Early Learning Division would like to bring to your attention some potential implications of HB 3030 scheduled for a public hearing on Wednesday, March 20, 2019. HB 3030 allows professional licensing bodies to issue a temporary authorization to the spouse of a member of Armed Forces stationed in Oregon and who holds out-of-state authorization to provide occupational or professional services.

In particular the Early Learning Division (ELD) has noted the definitions provided in the bill. HB 3030 defines “Occupational or professional service” to mean a “service that an individual must possess a license, certificate or other form of authorization to provide and over which a professional licensing board has regulatory oversight.”

These definitions are broad enough to potentially apply to the issuance of certifications and registration of child care providers in Oregon through the ELD. The ELD oversees child care facilities and registers child care providers and others associated with child care facilities in the Central Background Registry (CBR). Registration in the CBR is required in order for an individual to work in or otherwise be associated with a child care facility.

As you are likely aware, previous legislation<sup>1</sup> was enacted to make it easier for spouses of military service members to travel to this state and continue in their field of work when that field of work requires licensure. Those prior bills were aimed at a specific subset of professional and occupational licenses—for example, they explicitly covered teachers, engineers, land surveyors, occupational therapists, etc., which are all overseen by professional credentialing and licensing Boards.

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<sup>1</sup> HB 4063 (2012), HB 2037 (2013), and HB 4057 (2014)



Given statutes that govern Occupations and Professions is found within ORS Chapters 670 through 704 whereas statutes governing child care are contained within Chapter 329A, as well as the legislative history of legislation in 2012, 2013 and 2014, the ELD seeks clarification as to whether it is the intention to apply the provisions of the bill to the regulation of child care in Oregon or whether the intent is to focus on the same occupations and boards that were previously the subject of past legislation for military spouses.

It is important to note there are several federal regulations governing child care in Oregon. Because of this, the ELD will need to seek legal guidance as to whether the provisions of the bill may conflict with federal law.

The ELD is available to address these concerns with the committee and bill sponsors as this bill proceeds through the legislative process.

Thank you.

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