



**ARKANSAS INSURANCE DEPARTMENT
FUNERAL SERVICES DIVISION | EMBALMERS & FUNERAL DIRECTORS**

**APPLICATION FOR OUT-OF-STATE LICENSURE –
NEW ARKANSAS RESIDENT AND/OR MILITARY SERVICE MEMBERS,
VETERANS, AND SPOUSES STATIONED IN ARKANSAS OR
ESTABLISHES RESIDENCY
COMPLETION INSTRUCTIONS**

Pre-Application Instructions:

- To minimize delays in the processing of this application, you are encouraged to read, understand, and follow the requirements under the **Arkansas Code Annotated** and **Rule 1. Section 10**:
 - A.C.A. § 17-29-310 License Requirements for out-of-state licenses. [Effective July 1, 2018]
 - Rule 1. Section 10 - License Requirements for Out-of-State Licenses. [Effective June 14, 2024]

Items required to be submitted at the time of application:

1. Completed, signed, and notarized *Application for Out-of-State Licensure – Embalmer and/or Funeral Director* form.
2. A **color copy of driver's license or other photo ID. of yourself** (scan and e-mail to AID.EFD@arkansas.gov)
3. \$150.00 Application Fee (Per license. \$300.00 total if the applicant holds both an embalmers and a funeral director's license.). Payable by business check, cashier's check, or money order.
4. **Official transcript from the mortuary school (Embalmer License).**
5. The "Verification of License" portion (Page 4 of Application) shall be sent to the state(s) in which the applicant is currently licensed for them to complete, sign, and return to our offices.
6. Complete ASP-122 form and include the additional amount of \$22.00.
 - a. You can write one business check, cashier's check, or money order for total amount due.
 - b. Payable to Arkansas Insurance Department.
7. Personal checks will be returned.
8. Please mail together in the same envelope, except for item 5.

Additional Instructions:

- After all portions of the application are received by the Funeral Services Division, the applicant will be issued a temporary working number that will allow him/her to work as a funeral director, embalmer, or both, for a period of one (1) calendar year.
- The applicant will be sent a temporary pocket card and letter, plus all required study materials.
- The applicant may be required to take and pass the *Arkansas Laws, Rules, and Regulations* exam by applying through the International Conference of Funeral Service Examining Boards at: <https://theconferenceonline.org/>.
- **Applicant must submit a waiver request with application to be exempt from taking and passing the Arkansas Laws, Rules, and Regulations exam.**
 - **The board will approve or deny the request at their next regularly scheduled meeting.**
 - **If the New Arkansas Resident applicants are Military Service Members, Veterans, and Spouses either stationed or who establishes residency in the State of Arkansas. The applicant will be exempt from testing and automatic license will be granted if all other requirements are met.**
 - **Verification of uniformed service member, veteran, or spouse will be required.**
- Once applicant has successfully passed the law exam, they will be notified to apply for the license(s) on a reoccurring renewal basis.
- Applicant can practice with the temporary license for one year. Applicant must apply for licenses by the expiration of their temporary license.

If you have any questions regarding the application process, please contact our offices at **(501) 682-0574**.

Return Completed Application To:

Arkansas Department of Commerce
Arkansas Insurance Department | Funeral Services Division
1 Commerce Way, Suite 502 | Little Rock, AR 72202-2087
Phone (501) 682-0574 | Fax (501) 682-0575
E-Mail: AID.EFD@arkansas.gov



ARKANSAS INSURANCE DEPARTMENT
FUNERAL SERVICES DIVISION | EMBALMERS & FUNERAL DIRECTORS

APPLICATION FOR OUT-OF-STATE LICENSURE -
EMBALMER AND/OR FUNERAL DIRECTOR - NEW ARKANSAS
RESIDENT AND/OR MILITARY SERVICE MEMBERS, VETERANS, AND
SPOUSES STATIONED IN ARKANSAS OR ESTABLISHES RESIDENCY

APPLICATION FEE(S) DUE:

- Embalmers License Application Fee: \$150.00
Funeral Director's License Application Fee: \$150.00
Military Service Member, Veteran, or Spouse

[For Office Use Only]
Temporary Working No.:
Date TWN Issued:
Type: Embalmer Funeral Director

I hereby make application to the Arkansas Insurance Department | State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services for an out-of-state license:
Embalmers Funeral Director [Check one or both, if applicable.]

Applicant Name: SSN:

Applicants Date of Birth: Place of Birth:
MM/DD/YY City/State

Current Mailing Address:
P.O. Box/Street City State ZIP Code

Residence County Phone No.:

E-Mail Address: Are you a U.S. Citizen? Yes No

High School Graduated (or G.E.D.): Graduation Date:
City/State MM/YY

College/University Attended:
Name of School/City/State Years Attended

Mortuary School Attended:
Name of School/City/State Graduation Date

LICENSES CURRENTLY HELD BY APPLICANT:

- Embalmers License: No.: State: License Date:
Funeral Director's License: No.: State: License Date:

Have you ever had a license suspend or revoked? Yes No If "Yes," please attach an explanation.

Have you ever been convicted of a felony? Yes No If "Yes," please attach an explanation.

Have you previously resided in Arkansas? Yes No If "Yes," please list dates:

Check all that apply:

I own am employed by
Funeral Home Name City/State

Acknowledgement Statement:

I promise and agree that, if this application is accepted and I should be granted a license(s) to practice embalming and/or funeral directing in the State of Arkansas, I will conduct myself in a professional manner, maintaining the honor and integrity of the Funeral Services industry and I will observe and obey all laws, rules, and regulations of the State of Arkansas. Additionally, I understand that, if I have made any false statements in this application, the Board may consider actions including suspension or revocation of the license(s).

Applicant Signature Applicant Title Date

AUTHORIZATION:

Your signature on this application form serves as authorization for the **Arkansas Insurance Department | State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services** to conduct a background investigation on you that includes – but is not limited to – inquiries to any applicable law enforcement agencies.

NOTARY PUBLIC:

_____, the above-named applicant, personally known by me, signed this application form in my presence, and being duly sworn, he/she states that he/she has read the above application form and that the answers given herein are true and correct, to the best of his/her knowledge and belief.

State of _____

County of _____

Subscribed to and sworn before me this _____ day of _____, 20_____.

Notary Public Signature

Commission Expiration Date

RULE 1. Section 10 - H Automatic Licensure for New Arkansas Residents

1. As used in this subsection:
 - a. "Automatic occupational licensure" means the granting of an embalmer license, a funeral director license, a crematory retort operator license, an apprentice embalmer registration, or an apprentice funeral director registration to an individual who establishes residency in this state without the individual's having met occupational requirements provided under Title 17 of the Arkansas Code or by Board rules.
 - b. Occupational licensure means a license, permit, or registration that is required for an individual to engage in apprenticeship, embalming, funeral directing, or operating a crematory retort.
2. Unless otherwise stated in this rule, this subsection applies to an individual who has occupational licensure in another state, territory, or district of the United States and has established a residence in this state.
3. If the individual does not have a disqualifying criminal offense under §17-3-102 or any additional state law relating to the occupational licensure and does not have a complaint, allegation, or investigation pending for his or her occupational activity, the Board shall grant automatic licensure to engage in the science of embalming, the business of funeral directing, the operation of a crematory retort, or a registration as an apprentice embalmer or an apprentice funeral director to an individual who is:
 - a. The holder in good standing for one (1) year of licensure as an embalmer, funeral director, crematory retort operator, apprentice embalmer, apprentice funeral director, or other similar licensure issued by another state, territory, or district of the United States
 - b. An individual who worked:
 - 1) In another state, territory, or district of the United States that does not use an occupational licensure for embalmers, funeral directors, crematory retort operators, apprentice embalmers, and apprentice funeral directors; and
 - 2) At least three (3) years in an occupation similar to embalming, funeral directing, operating a crematory retort, apprentice embalming, or apprentice funeral directing.

The International Conference of Funeral Service Examining Boards administers the Laws, Rules, and Regulations (LRR) exam. Once eligibility is on file with their office, the exam may be taken once every fifteen (15) days. Failure to meet the testing requirement will result in revocation of the temporary license.

Return Completed Application To:

Arkansas Department of Commerce
Arkansas Insurance Department | Funeral Services Division
1 Commerce Way, Suite 502 | Little Rock, AR 72202-2087
Phone (501) 682-0574 | Fax (501) 682-0575
E-Mail: AID.EFD@arkansas.gov

PROFESSIONAL REFERENCES

Reference 1:

I, the undersigned licensed embalmer funeral director, hereby certify that I have been personally acquainted with _____ of _____ for _____ years,
Applicant Name City/State

and that I know him/her to be a person of good moral character and worthy of favorable recognition by the Arkansas Insurance Department | State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services, and I further certify that _____ is qualified to receive a license as an embalmer or
Applicant Name

funeral director in the State of Arkansas.

| | | | |
|---------------------------------------|-------------------------|---|---------------|
| _____ | _____ | _____ | _____ |
| Reference 1 – Printed Name | Reference 1 – Signature | Date | |
| _____ | _____ | _____ | _____ |
| Street/P.O. Box Address | City | State | ZIP Code |
| _____ | _____ | _____ | _____ |
| Reference 1 – Embalmer License Number | License State | Reference 1 – Funeral Director License Number | License State |

Reference 2:

I, the undersigned licensed embalmer funeral director, hereby certify that I have been personally acquainted with _____ of _____ for _____ years,
Applicant Name City/State

and that I know him/her to be a person of good moral character and worthy of favorable recognition by the Arkansas Insurance Department | State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services, and I further certify that _____ is qualified to receive a license as an embalmer or
Applicant Name

funeral director in the State of Arkansas.

| | | | |
|---------------------------------------|-------------------------|---|---------------|
| _____ | _____ | _____ | _____ |
| Reference 2 – Printed Name | Reference 2 – Signature | Date | |
| _____ | _____ | _____ | _____ |
| Street/P.O. Box Address | City | State | ZIP Code |
| _____ | _____ | _____ | _____ |
| Reference 2 – Embalmer License Number | License State | Reference 2 – Funeral Director License Number | License State |

****IMPORTANT****

The *References* page must be completed and signed by two (2) licensed embalmers and/or funeral directors. It is preferred that the embalmers and/or funeral directors be licensed in Arkansas, where possible.

Return References Page To:

Arkansas Department of Commerce
Arkansas Insurance Department | Funeral Services Division
1 Commerce Way, Suite 502 | Little Rock, AR 72202-2087
Phone (501) 682-0574 | Fax (501) 682-0575
E-Mail: AID.EFD@arkansas.gov

CERTIFICATION OF LICENSURE

(Must be completed and signed by the Licensing Board where applicant is currently licensed.)

Licensing State: _____

Applicant Name: _____

License #1:

License No.: _____

License Type: _____

Date Issued: _____

Expiration Date: _____

Exam Average: _____

License #2:

License No.: _____

License Type: _____

Date Issued: _____

Expiration Date: _____

Exam Average: _____

Questionnaire:

1. Name of mortuary school licensee attended: _____
2. Has the licensee been current and in "good standing" for a period of at least one (1) year with your State Board? Yes No If "No," please explain: _____

3. Has the licensee ever been disciplined by your State Board? (Revocation, suspension, probation, etc.)
 Yes No If "Yes," please explain and attach a copy of your final decision: _____

4. Are there any formal charges pending against the licensee? Yes No If "Yes," please explain and attach a copy of the complaint: _____

ATTESTATION:

Acting on behalf of _____, I hereby certify that the above information is true and correct, based on the records of this Board.

[State Board – Seal]

Board Official – Printed Name

Board Official – Signature

Title

Date

****IMPORTANT****

The *Certification of Licensure* page must be completed and signed by the applicable State Board and returned directly to:

Arkansas Department of Commerce
Arkansas Insurance Department | Funeral Services Division
1 Commerce Way, Suite 502 | Little Rock, AR 72202-2087
Phone (501) 682-0574 | Fax (501) 682-0575
E-Mail: AID.EFD@arkansas.gov



**ARKANSAS INSURANCE DEPARTMENT
FUNERAL SERVICES DIVISION | EMBALMERS & FUNERAL DIRECTORS**

NEW ARKANSAS RESIDENT AFFIDAVIT

DATE _____

Comes now the undersigned, _____ states that he/she
(Applicant's Printed Name)

became a resident of Arkansas on _____ and lives at
(Date of Arkansas Residency)

(Physical Address) (City)

(County) (State) (Zip Code)

I hereby certify that all information and statements contained within this application are true, to the best of my knowledge and belief.

(Applicant's Signature)

NOTARY PUBLIC:

[Notary Stamp or Seal]

State of _____

County of _____

Subscribed and sworn to before me this _____ day of _____, 20 _____.

Notary Public Signature

Commission Expiration Date

Mail Completed Affidavit To:

Arkansas Department of Commerce
Arkansas Insurance Department | Funeral Services Division
1 Commerce Way, Suite 502 | Little Rock, AR 72202-2082
Phone (501) 682-0574 | Fax (501) 682-0575
E-Mail: AID.EFD@arkansas.gov



ARKANSAS STATE POLICE

Identification Bureau Individual Record Check Request Form

_____ Last Name _____ First Name _____ Middle Name _____ Jr./Sr./III

_____ Daytime Phone #: _____

List **ALL** other names ever used (married, maiden, shortened, etc.) _____

Date of Birth: _____ State of Birth: _____ Race: _____ Sex: _____
(Month/Day/Year)

Social Security #: _____ Driver's License #: _____ State _____

Mailing Address: _____
Street/P.O. Box _____

_____ City _____ State _____ Zip Code _____

APPLICANT RECORD NOTICE

Obtaining Copy: Procedures for obtaining a copy of the FBI criminal history record are set forth in Title 28, Code of Federal Regulations (CFR) Section 16.30 through 16.33 or the FBI website at <http://www.fbi.gov/about-us/cjis/background-checks>.

Change, Correction, or Updating: Procedures for obtaining a change, correction, or updating of an FBI criminal history record are set forth in Title 28, Code of Federal Regulations (CFR), Section 16.34.

I give my consent for the Arkansas State Police to conduct a criminal record search on myself and release any results to the following person or entity:

Signature: _____ Date: _____
(First/MI/Last Name) (Month/Day/Year)

Release to: Arkansas Insurance Department | Funeral Services Division - Embalmers & Funeral Directors
(First/MI/Last Name) **OR** Full Name of Agency

Mailing Address: 1 Commerce Way, Suite 502
Street/P.O. Box _____

Little Rock City Arkansas State 72202-2087 Zip Code

WHEN THIS PROPERLY COMPLETED REQUEST FORM IS SUBMITTED (OTHER THAN IN PERSON BY THE SUBJECT OF THE CHECK) THIS REQUEST FORM MUST BE NOTARIZED

STATE OF _____

COUNTY OF _____

Subscribed and sworn before me, a Notary Public, in and for the county and state aforesaid, this is the _____ day of _____, 20_____.

Notary Public

BELOW FOR OFFICE USE ONLY

82005 State Record Check



Rule 1. Section 10 Requirements for Out of State Licensure,
Automatic Licensure for Military Service Members, Veterans, and Spouses, and
Automatic Licensure for New Arkansas Residents

Section 10. Requirements for Out of State Licensure

- A. Any person holding a valid license as an embalmer, funeral director, or crematory retort operator in another state, U.S. Territory, or Provincial Authority, who does not intend to become a resident of this state, may apply for a license to practice in this state as an embalmer, funeral director, or crematory retort operator, if the person seeking licensure meets the following requirements:
1. The person must demonstrate that he or she holds an embalmer, funeral director, or crematory retort operator or similar license or licenses in another state, territory, or district of the United States in good standing, for at least one (1) year, and has not had his or her license revoked for an act of bad faith or a violation of law, rule or ethics;
 2. The person must not hold a suspended or probationary occupational license in any state, territory, or district of the United States;
 3. The person must be qualified in his or her field; and
 4. The person must pay the required fee.
- B. Application shall be made by filing with the Board, a certified statement completed by the examining Board of the state, U.S. Territory or Provincial Authority in which the applicant holds his or her license, that shows the basis upon which the license was issued. It is the applicant's responsibility to request from the other state, U.S. Territory or Provincial Authority where he or she holds a valid license, to complete the Certification of Licensure form provided by the Board.
- C. Upon receipt of the application, the Board may issue a temporary working number, which is valid for one year from the date of issuance.
- D. To obtain a license, the applicant shall pass an exam to prove his or her proficiency, including at least, but not limited to, a minimum knowledge of the laws, and rules of this state pertaining to funeral service. The exam may be taken at one of the regularly scheduled exam sessions set by the Board. The exam may be taken once every fifteen (15) days.
- E. If the Board is satisfied with the proficiency of the applicant, upon receipt of the required fees, a license may be granted.

F. Individuals who hold a license in another state, territory or district of the United States that does not offer individual licenses that require the minimum standards required by the individual licenses issued by the Board, will be required to successfully pass the Arkansas Laws, Rules and Regulations Examination.

G. Automatic Licensure for Military Service Members, Veterans, and Spouses

1. As used in this subsection:

a. "automatic occupational licensure" means the granting of an embalmer's license, a funeral director's license, a crematory retort operator's license, an apprentice embalmer, or an apprentice funeral director without the individual's having met occupational licensure requirements provided under Title 17 of the Arkansas Code or by these Rules.

b. "occupational licensure" means a license, permit, or registration that is required for an individual to engage in apprenticeship, embalming, funeral directing, or operating a crematory retort.

c. "returning military veteran" means a former member of the United States Armed Forces who was discharged from active duty under the circumstances other than dishonorable.

d. "uniformed service member" means:

(1) an active or reserve component member of the United States Air Force, United States Army, United States Coast Guard, United States Marine Corps, United States Navy, United States Space Force, or National Guard;

(2) An active component member of the National Oceanic and Atmospheric Commissioned Officer Corps; or

(3) An active or reserve component member of the United States Commissioned Corps of the Public Health Service.

e. "uniformed service veteran" means a former member of the United States uniformed services discharged under conditions other than dishonorable.

2. The Board shall grant automatic occupational licensure to any the following individuals:

a. A uniformed service member stationed in the State of Arkansas;

- b. A uniformed service veteran who resides in or establishes residency in the State of Arkansas;
 - c. The spouse of a uniformed service member stationed in the State of Arkansas;
 - d. The spouse of a uniformed service veteran who resides in or establishes residency in the State of Arkansas;
 - e. The spouse of a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed serviced member and the spouse relocates to this state; and
 - f. The spouse of a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.
3. The Board shall grant automatic occupational licensure to any individual listed in Subsection 2, above, and is the holder in good standing of occupational licensure with similar scope of practice issued by another state, territory, or district of the United States. No testing will be required.
4. The Board shall accept relevant and applicable uniformed service education, training, national certifications, or service-issued credential toward occupational licensure qualifications or requirements when considering an application for initial licensure of an individual who is a uniformed service member or a uniformed service veteran who makes an application after his or her discharge from uniformed service.
5. The Board shall extend the expiration date of any license, permit, or registration issued for a deployed service member or his or her spouse for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.
6. The Board shall allow for a full exemption from continuing education requirements for any individual listed in Subsection 7, until one hundred eighty (180) days following the date of the uniformed service member's return from deployment.
7. In order to allow for full exemption of continuing education, the Board may require evidence of completion of continuing education before granting a

subsequent licensure or authorizing the renewal of the license, permit, or registration.

H. Automatic Licensure for New Arkansas Residents

1. As used in this subsection:
 - a. “automatic occupational licensure” means the granting of an embalmer license, a funeral director license, a crematory retort operator license, an apprentice embalmer registration, or an apprentice funeral director registration to an individual who establishes residency in this state without the individual’s having met occupational licensure requirements provided under Title 17 of the Arkansas Code or by Board rules.
 - b. “occupational licensure” means a license, permit, or registration that is required for an individual to engage in apprenticeship, embalming, funeral directing, or operating a crematory retort.
2. Unless otherwise stated in this rule, this subsection applies to an individual who has occupational licensure in another state, territory, or district of the United States and has established a residence in this state.
3. If the individual does not have a disqualifying criminal offense under § 17-3-102 or any additional state law relating to the occupational licensure and does not have a complaint, allegation, or investigation pending for his or her occupational activity, the Board shall grant automatic licensure to engage in the science of embalming, the business of funeral directing, the operation of a crematory retort, or a registration as an apprentice embalmer or apprentice funeral director to an individual who is:
 - a. The holder in good standing for one (1) year of licensure as an embalmer, funeral director, crematory retort operator, apprentice embalmer, apprentice funeral director, or other similar licensure issued by another state, territory, or district of the United States; or
 - b. An individual who worked:
 - (1) In another state, territory, or district of the United States that does not use an occupational licensure for embalmers, funeral directors,

crematory retort operators, apprentice embalmers, and apprentice funeral directors; and

(2) At least three (3) years in an occupation similar to embalming, funeral directing, operating a crematory retort, apprentice embalming, or apprentice funeral directing.


4. An individual who is granted automatic licensure under this subsection shall meet all other occupational licensure requirements for a resident of this state and all renewal requirements of licensure by the Board, including without limitation the successful completion of a criminal background check and continuing education hours.
5. Notwithstanding subdivisions 3 and 4 of this subsection, the Board may require an applicant to pass the Arkansas Laws, Rules and Regulations Examination.
6. The Board may waive the requirement that the applicant pass the Arkansas Laws, Rules and Regulations Examination if the Board finds that:
 - a. The combination of the applicant's education, training, and experience is a sufficient substitute for the requirement; and
 - b. A waiver of the requirement will not harm public health, safety, or welfare.

A.C.A. § 17-29-310

Current through all laws of the 2018 Fiscal Session and 2018 Second Extraordinary Session, including changes and corrections by the Arkansas Code Revision Commission.

- [Arkansas Code Annotated](#)
- [Title 17 Professions, Occupations, and Businesses](#)
- [Subtitle 2. Nonmedical Professions](#)
- [Chapter 29 Embalmers, Funeral Directors, and Funeral Establishments](#)
- [Subchapter 3-- Embalmers and Funeral Directors Law -- Licensing](#)

Notice

 *Second of 2.* This section has more than one version with varying effective dates.

Second of 2 versions of this section

17-29-310. License requirements for out-of-state licenses. [Effective July 1, 2018.]

- (a) A person holding a valid license as an embalmer or funeral director in another state, United States territory, or provincial authority for an appropriate time as determined by the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services may apply for a license to practice in this state as an embalmer or a funeral director, or both.
- (b)
- (1) An application shall be made by filing with the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services a certified statement from the secretary of the examining board of the state, United States territory, or provincial authority in which the applicant holds his or her license, showing the basis upon which the license was issued.
- (2) Upon receipt of the application and fee, the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services may issue a temporary working number that is valid for one (1) year from the date of issuance.
- (c)
- (1) To obtain a license, the applicant shall pass an exam to prove his or her proficiency, including without limitation knowledge of the laws and rules of this state pertaining to funeral service.
- (2) An applicant may take the examination at one of the regularly scheduled examination sessions as determined by the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services.
- (3) If the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services is satisfied with the proficiency of the applicant, upon receipt of the fees prescribed by the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services, a license may be granted.
- (4) Failure to meet testing requirements shall result in revocation of the temporary working number, and the applicant shall reapply and pay the reapplication fee prescribed by the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services to be licensed under this subchapter.

History

Acts 1983, No. 325, § 6; A.S.A. 1947, § 71-906; Acts 1997, No. 839, § 6; 1999, No. 1138, § 6; 2015, No. 1095, § 30; 2017, No. 788, § 18.

Arkansas Code Ann. §17-7-101

[AR - Arkansas Code Annotated](#) | [Title 17 Professions, Occupations, and Businesses](#) | [Subtitle 1. Professions Generally](#) | [Chapter 7 AUTOMATIC OCCUPATIONAL LICENSURE FOR OUT-OF-STATE LICENSURE ACT](#)

Current through all legislation of the 2023 Regular Session and the 2023 First Extraordinary Session.

17-7-101. Title.

This chapter shall be known and may be cited as the “Automatic Occupational Licensure for Out-of-State Licensure Act”.

17-7-102. Definitions.

As used in this chapter:

- (1) “Automatic occupational licensure” means the granting of occupational licensure to an individual who establishes residency in this state without the individual's having met occupational licensure requirements provided under this title or by the rules of the relevant occupational licensing entity;
- (2) “Occupational licensing entity” means an office, board, commission, department, council, bureau, or other agency of state government having authority to license, certify, register, permit, or otherwise authorize an individual to engage in a particular occupation or profession, not including occupations or professions within the judicial branch of government or occupations or professions subject to the superintending control of the Supreme Court; and
- (3) “Occupational licensure” means a license, certificate, registration, permit, or other form of authorization, including without limitation military occupational specialty, required by law or rule that is required for an individual to engage in a particular occupation or profession.

17-7-103. Applicability.

Unless otherwise stated in this chapter, this chapter applies to an individual who has occupational licensure in another state, territory, or district of the United States and has established a residence in this state.

17-7-104. Automatic occupational licensure.

- (a) If the individual does not have a disqualifying criminal offense under § 17-3-102 or any additional state law relating to the occupational licensure and does not have a complaint, allegation, or investigation pending for his or her occupational activity, an occupational licensing entity shall grant automatic occupational licensure to engage in an occupation or a profession to an individual who is:
- (1) The holder in good standing for one (1) year of an occupational licensure with similar scope of practice issued by another state, territory, or district of the United States; or
 - (2) An individual who worked:
 - (A) In another state, territory, or district of the United States that does not use an occupational licensure to regulate an occupation or profession but is regulated by occupational licensure in this state; and
 - (B) At least three (3) years in the occupation.
- (b) An individual who is granted automatic occupational licensure under this chapter shall meet all other occupational licensure requirements for a resident of this state and all renewal requirements of

the occupational licensure, including without limitation a criminal background check and continuing education hours.

(c)

(1) Notwithstanding subsections (a) and (b) of this section, an occupational licensing entity may require an applicant to pass an examination specific to relevant state laws that regulate the occupation or profession.

(2) Notwithstanding subsections (a) and (b) of this section, an occupational licensing entity shall require an applicant to furnish a bond, financial statement, or proof of insurance coverage if required by state law.

(d) An occupational licensing entity may waive the requirements of subdivision (c)(1) of this section if the occupational licensing entity finds that:

(1) The combination of the applicant's education, training, and experience is a sufficient substitute for the requirement; and

(2) A waiver of the requirement will not harm public health, safety, or welfare.

17-7-105. Responsibilities of occupational licensing entities.

An occupational licensing entity shall:

(1) Provide automatic occupational licensure to an individual listed in § 17-7-104;

(2) Post prominently on the occupational licensing entity's website a link entitled "Out-of-State Licensure" that leads directly to information applicable to an individual licensed under § 17-7-104; and

(3) Provide to the Legislative Council an annual report stating the number of individuals granted automatic occupational licensure under this chapter.

17-7-106. Exemptions.

(a) This chapter does not apply to licensure or certification of:

(1) Medical professions under Title 17, Subtitle 3;

(2) Legal professionals; or

(3) Individuals under reciprocity agreements.

(b) This chapter does not apply to an existing multistate or interstate compact if the chapter would result in a nullification of the multistate or interstate compact.

History

Acts 2023, No. 457, § 1.

17-4-101. Title.

This chapter shall be known and may be cited as the “Arkansas Occupational Licensing of Uniformed Service Members, Veterans, and Spouses Act of 2021”.

17-4-102. Legislative findings and intent.

(a) The General Assembly finds that:

- (1)** Arkansas sets the bar as a national leader in addressing employment barriers faced by uniformed service members, uniformed service veterans, and their spouses in attaining occupational licensure;
- (2)** Arkansas is one (1) of only four (4) states to successfully address eight (8) or more of the ten (10) issues affecting uniformed service families identified by the United States Department of Defense;
- (3)** Of the United States Department of Defense's ten (10) issues in fiscal year 2020, four (4) of the issues concern occupational licensure of spouses of uniformed service members;
- (4)** Annually, fourteen and five-tenths percent (14.5%) of spouses of uniformed service members move across state lines as opposed to one and one-tenth percent (1.1%) of civilians;
- (5)** States can continue to improve the attainment of occupational licensure and to eliminate barriers impeding employment of spouses of uniformed service members following a move across state lines;
- (6)** Acts 2019, No. 820, established provisions for the granting of automatic occupational licensure or expedited occupational licensure to active-duty service members, recently separated veterans, and their spouses who hold occupational licensure in good standing in another jurisdiction; and
- (7)** Additional steps need to be taken to clarify, simplify, and elevate the occupational licensure process for uniformed service members, uniformed service veterans, and their spouses.

(b) It is the intent of the General Assembly to address occupational licensure barriers that impede the launch and sustainability of civilian occupational careers and employment faced by uniformed service members, uniformed service veterans, and their spouses due to frequent uniformed service assignment by:

(1) Providing:

- (A)** Automatic occupational licensure or expedited occupational licensure to current license holders to expedite their entry into the workforce of this state;
 - (B)** Temporary or provisional licensure to initial licensure candidates while expediting full licensure;
 - (C)** Legislative oversight of rulemaking by occupational licensing entities to ensure removal of occupational licensure barriers faced by uniformed service members, uniformed service veterans, and their spouses; and
 - (D)** Guidance to assure effective rulemaking and clear license application instructions to uniformed service members, uniformed service veterans, and their spouses;
- (2)** Recognizing uniformed service education, training, experience, and credentials of uniformed service members and uniformed service veterans applying for initial occupational licensure; and
 - (3)** Extending licensure expiration and any continuing education required for occupational licensure renewal when a uniformed service member is deployed.

17-4-103. Definitions.

As used in this chapter:

- (1)** “Automatic occupational licensure” means the granting of occupational licensure without an individual's having met occupational licensure requirements provided under this title or by the rules of the relevant occupational licensing entity;
- (2)** “Occupational licensing entity” means an office, board, commission, department, council, bureau, or other agency of state government having authority to license, certify, register, permit, or otherwise authorize an individual to engage in a particular occupation or profession, not including occupations or professions within the judicial branch of government or occupations or professions subject to the superintending control of the Supreme Court;
- (3)** “Occupational licensure” means a license, certificate, registration, permit, or other form of authorization required by law or rule that is required for an individual to engage in a particular occupation or profession;
- (4)** “Uniformed service member” means:
 - (A)** An active or reserve component member of the United States Air Force, United States Army, United States Coast Guard, United States Marine Corps, United States Navy, United States Space Force, or National Guard;
 - (B)** An active component member of the National Oceanic and Atmospheric Administration Commissioned Officer Corps; or
 - (C)** An active or reserve component member of the United States Commissioned Corps of the Public Health Service; and
- (5)** “Uniformed service veteran” means a former member of the United States uniformed services discharged under conditions other than dishonorable.

17-4-104. Applicability.

Unless otherwise stated in this chapter, this chapter applies to:

- (1)** A uniformed service member stationed in the State of Arkansas;
- (2)** A uniformed service veteran who resides in or establishes residency in the State of Arkansas; and
- (3)** The spouse of:
 - (A)** A person listed in subdivision (1) or subdivision (2) of this section;
 - (B)** A uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and
 - (C)** A uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.

17-4-105. Automatic occupational licensure.

An occupational licensing entity shall grant automatic occupational licensure to engage in an occupation or profession to an individual who is:

- (1)** Listed in § 17-4-104; and
- (2)** The holder in good standing of occupational licensure with similar scope of practice issued by another state, territory, or district of the United States.

17-4-106. Expedited occupational licensure.

(a)

(1) An occupational licensing entity may submit proposed rules recommending an expedited process for the attainment of occupational licensure instead of automatic occupational licensure as provided under § 17-4-105 to the Administrative Rules Subcommittee of the Legislative Council.

(2) The proposed rules described in subdivision (a)(1) of this section shall include temporary or provisional occupational licensure provisions with a term of ninety (90) days or more.

(3) The occupational licensing entity shall provide automatic occupational licensure if the proposed expedited occupational licensure rules are not approved as required by § 17-4-109.

(b)

(1) An occupational licensing entity shall expedite the process for initial occupational licensure for an individual who is listed in § 17-4-104.

(2) An occupational licensing entity shall provide the applicant under subdivision (b)(1) of this section with a temporary or provisional license upon receipt of required documentation or the successful completion of any examination required by the relevant occupational licensing entity to enable the applicant to secure employment in his or her occupation or profession.

17-4-107. Acceptance of uniformed service education, training, national certification, or service-issued credential.

An occupational licensing entity shall accept relevant and applicable uniformed service education, training, national certification, or service-issued credential toward occupational licensure qualifications or requirements when considering an application for initial licensure of an individual listed in § 17-4-104.

17-4-108. Extension of license expiration and continuing education requirements.

(a) An occupational licensing entity shall extend the expiration date of an occupational licensure for a deployed uniformed service member or his or her spouse for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(b)

(1) An occupational licensing entity shall allow a full or partial exemption from a continuing education requirement that is required as a component of occupational licensure for an individual who is listed in subsection (a) of this section until one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(2) An occupational licensing entity that allows full or partial exemption from continuing education requirements may require evidence of completion of continuing education before granting a subsequent occupational licensure or authorizing the renewal of an occupational licensure.

17-4-109. Legislative oversight of rules.

(a) The Administrative Rules Subcommittee of the Legislative Council shall:

(1) Review the proposed rules of an occupational licensing entity as submitted for public comment at least thirty (30) days before the public comment period ends under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.; and

(2) Approve the proposed rules submitted under § 17-4-106 based on:

(A) A determination of whether the expedited process provides the least restrictive means of attaining occupational licensure; and

(B) Any other criteria the Administrative Rules Subcommittee of the Legislative Council determines necessary to achieve the objectives of this section.

(b) The Administrative Rules Subcommittee of the Legislative Council may:

(1) Establish a further subcommittee to assist in the duties assigned to the Administrative Rules Subcommittee of the Legislative Council under this section;

(2) Assign information filed with the Administrative Rules Subcommittee of the Legislative Council under this section to one (1) or more subcommittees of the Legislative Council, including without limitation a subcommittee created under subdivision (b)(1) of this section; or

(3) Delegate the duties of the Administrative Rules Subcommittee of the Legislative Council under this section to one (1) or more subcommittees of the Legislative Council, which shall be subject to the final review and approval of the Administrative Rules Subcommittee of the Legislative Council.

17-4-110. Responsibilities of occupational licensing entities.

An occupational licensing entity shall:

(1) Submit proposed rules authorized under § 17-4-106 to the Administrative Rules Subcommittee of the Legislative Council for review and approval before the proposed rules are promulgated under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.;

(2) If the proposed rules are not approved as required under § 17-4-109, provide automatic occupational licensure to an individual listed in § 17-4-104;

(3) Post prominently on the occupational licensing entity's website a link entitled "Military Member Licensure" that directly leads to information applicable to an individual listed in § 17-4-104; and

(4) Provide to the House Committee on Aging, Children and Youth, Legislative and Military Affairs an annual report stating the number of individuals granted automatic occupational licensure and expedited occupational licensure under this chapter.

History

Acts 2021, No. 135, § 2.