



## Licensure Portability and Military Spouses

There are many unique challenges faced by the US military's men and women and their families. Families often spend long periods of time separated from each other, family, and friends. It is not unusual for a military family to move every two to three years, having to rebuild their professional and social support systems. Although fully aware of these challenges, the military spouses are often surprised by the difficulty in securing employment and maintaining professional licensure. This is not a problem unique to licensed physical therapists and physical therapist assistants, but for any of the estimated 34% of military spouses in the labor force required to hold a professional license in order to work in his/her field.<sup>i</sup>

### What is Licensure Portability?

The FSBPT Ethics and Legislation committee has defined licensure portability as “*the ability to become licensed with minimal regulatory barriers for cross-jurisdictional practice.*” This definition acknowledges that some regulatory requirements are completely appropriate, such as requiring certain education or a licensure examination. However, we know that some license requirements are outdated and are barriers to timely licensure. At the FSBPT Delegate Assembly the motion, *DEL-12-04 License Portability* as written below passed, demonstrating the Federation's commitment to balance public protection and reasonable regulatory barriers with improved license portability for all physical therapy licensees.

**DEL-12-04:** *The Delegate Assembly supports the goal of license portability for physical therapy. The board of directors is requested to identify and recommend potential tools to improve the portability of physical therapy licenses and report to the 2013 Delegate Assembly.*

## Licensure Portability for Military Spouses

A small group of licensees has some powerful allies trying to make improvements in their license portability. The Department of Defense, State Department and White House have all recently begun to look at the issues surrounding employment and professional licensure of military spouses. Improving the licensure portability for military spouses has been noted as a key issue for both Joining Forces (an initiative on military families headed by First and Second Ladies, Michelle Obama and Dr. Jill Biden) and USA 4 Military Families, a joint initiative of the State Department and Department of Defense. The First Lady and Dr. Biden spoke in February 2012 at the National Governors Association meeting urging them to consider ways to make it easier for military spouses to transfer professional licenses when they move.

The difficulty that the spouse incurs has a significant impact on whether or not the military member continues to serve. Due to the frequent relocations faced by military spouses and delays that may be incurred with licensure in a new state, many spouses are deciding not to work in their professions or are finding that after licensure and job hunting, it is already time to relocate again. “Sixty-eight percent of married service members reported their spouse’s ability to maintain a career impacts their decision to remain in the military by a large or moderate extent.”<sup>ii</sup> The losses the military incurs has the potential to negatively impact readiness and thus becomes an issue of national importance.

### DoD: Best Practices to Facilitate Licensure Portability

The Department of Defense (DoD) has identified what are, in its opinion, the best practices to improve licensure mobility for military spouses. DoD is quick to add that the intent of their efforts is not to change the requirements in the states with regard to appropriate credentials or preparation, but to allow individuals that are already licensed to more easily move from state to state. As is typical, each state has taken its own approach to the legislation; some laws even go beyond the recommendations to make portability even greater.

- *Modify license by endorsement*- allows a state board or regulator to recognize active credentials from another state
- *Provide temporary licenses*- allows a military spouse with a current license to secure employment while completing state requirements that may be substantially different from what was required by the previous licensing state or while awaiting primary source verification of other documents
- *Expedite procedures for regulatory department or board approval* – allows the department director or licensing boards to receive the application, license the individual, and afterwards validate the documents from states and institutions, having opportunity to take further action if there are discrepancies in the application.<sup>iii</sup>

Further detail regarding these best practices can be found in the joint Departments of the Treasury and Defense report, [Supporting our Military Families: Best Practices for Streamlining Occupational Licensing across State Lines](#).

## **Impact on physical therapy licensing boards**

The numbers of individuals we are discussing is not large. There are approximately 100,000 military spouses in the country who serve in professions that require state licenses. The legislation discussed above includes all professions except attorneys and teachers, of which physical therapists and physical therapist assistants would be a small part. Obviously states with a large active duty military installations will see more potential spouse applications than states with little military presence.

For those boards where legislation is in place, first make sure the entire board and staff are aware of the exemptions and any special regulations for military spouses. Prompt staff to make sure that they ask the question of anyone identifying themselves as a military spouse “are you moving to our jurisdiction as a result of permanent change of station orders for your military spouse?” If the answer is no, then the legislation is not applicable to the licensee. Look at the licensure processes and determine if there are processes in place for board to process these applications under the specifics required by law. In some cases, the military spouse application requires modifications not granted to any other class of licensee. For example, temporary licensure is required for military spouses in Tennessee even though temporary licensure does not exist for any other category.

As of February 2012, prior to the address of the National Governors Association, 11 states had legislation on this topic in place. As of July 26, 2012 26 states have laws that support improved licensure portability for military spouses. The momentum cannot be discounted. With the Obama administration setting a goal of legislation to be passed by the end of 2014 in all states to facilitate professional licensure for military spouses, state boards in the remaining 24 states should expect to see legislation proposed in the upcoming session. At this time, FSBPT would encourage boards to seek out information on the legislation pending for the upcoming session that may impact physical therapy including military spouse license portability. Boards should review the bill language and proactively discuss concerns with the legislative sponsor if possible. State chapters of APTA will also be interested in bills with this topic and may be engaged in conversation. For help in identifying legislation in your jurisdiction, contact Professional Standards staff and/or access the legislative and regulatory tracking reports of the FSBPT at <https://www.fsbpt.org/ForMembers/ForReview/index.asp>.

## **Other Military Initiatives**

This is not the only issue regarding licensing and the military that state boards will be confronting in the near future. Another key issue identified by the Obama administration and various veteran and military associations has been the ability of service members to receive licensure and academic credit for military education, training, and experience. The United States military spends millions of dollars educating and training soldiers each year. However, the education, training, and experience gained by serving in the military are not always easily translatable to the civilian employment world. Physical therapists and physical therapist assistants are two groups that would be affected by these laws.

Addressing this issue for service members and veterans is proving to be popular amongst legislators and governors. These bills tend to be fast moving and enjoy a smooth ride through the legislature. In many

cases, the state licensure boards have not been consulted on the wording of these bills or have had no input and are left to deal with unintended consequences after passage.

In the last two years, at least 17 states(CO, HI, ID, IL, IN, KY, LA, MA, NC, OH, OK, OR, TN, VA, WA, WI, WV) passed legislation requiring licensure boards to establish processes to accept substantially equivalent education, training, and experience gained in the military toward professional licensure requirements. A future article is planned to discuss this issue more in depth.

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<sup>i</sup> [http://www.usa4militaryfamilies.dod.mil/pls/psgprod/f?p=USA4:ISSUE:0::::P2\\_ISSUE:2](http://www.usa4militaryfamilies.dod.mil/pls/psgprod/f?p=USA4:ISSUE:0::::P2_ISSUE:2)

<sup>ii</sup> [http://www.usa4militaryfamilies.dod.mil/pls/psgprod/f?p=USA4:ISSUE:0::::P2\\_ISSUE:2](http://www.usa4militaryfamilies.dod.mil/pls/psgprod/f?p=USA4:ISSUE:0::::P2_ISSUE:2).

<sup>iii</sup> <http://www.militaryonesource.mil/12038/USA4/Best%20Practices/Spouse%20Licensure%20Best%20Practices.pdf>