

# GLOSSARY

## A

### **ACTIVE LICENSE**

A status of occupational or professional licensure which has not been suspended, revoked, or terminated and which is not otherwise inactive.<sup>1</sup>

### **ACTIVE DUTY**

Full-time duty in the active military service of the United States.<sup>2</sup>

### **ARMED FORCES**

Refers to the United States Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard.<sup>3</sup>

### **APPLICANT**

An individual seeking licensure from a professional or occupational licensing board.<sup>4</sup> Typically, this is one who has established or intends to establish residency in the licensing state.<sup>5</sup>

### **AUTHORIZATION**

A license, registration, certificate or other authorization to engage in a profession.<sup>6</sup>

### **AUTOMATIC OCCUPATIONAL LICENSURE**

Granting an occupational licensure without an individual's having met occupational license requirements provided by the rules of the relevant occupational licensing entity.<sup>7</sup>

## B

### **BOARD**

A state agency or board that licenses, certifies, or otherwise authorizes individuals to provide an occupational or professional service.<sup>8</sup>

## C

### **COMPETENCY**

The fitness to obtain and maintain a license typically due to completed educational training and/or experience in the applicable profession or occupation.<sup>9</sup>

## D

### **DISQUALIFYING CRIMINAL HISTORY**

A criminal history that causes the issuing agency to conclude that the state has an important interest in protecting public safety that is superior to the person's right to obtain a license, permit, certificate, or other state recognition.<sup>10</sup>

### **DOMICILE**

The place where a person is physically present and considers to be home; a person's true, fixed, principal, and permanent home, to which that person intends to return and remain even if currently residing elsewhere.<sup>11</sup>



## E

### EXPEDITED REVIEW

The speedy review process of a candidate's application documents needed for licensure.<sup>12</sup>

## F

### FOREIGN PRACTITIONER

An individual who currently holds and maintains a license in good standing to engage in an occupation or profession in a state or jurisdiction other than the state in question and who is not the subject of a pending disciplinary action in any state or jurisdiction.<sup>13</sup>

## G

### GOOD STANDING

A license applicant is in good standing if their license is active and not subject to practice restrictions. The license must not be suspended, encumbered, revoked, or surrendered. The applicant must not have a pending license complaint, allegation, or investigation.<sup>14</sup>

## L

### LICENSE

A legal instrument or status that grants the holder permission to work in a particular profession or occupation.<sup>15</sup>



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## LICENSE / CERTIFICATE BY ENDORSEMENT

When the new state grants a license or certificate to an applicant military spouse licensed in another state who meets the requirements set forth by the new state.<sup>16</sup>

## LICENSING AUTHORITY

*See Licensing Board below*

## LICENSING BOARD

A board, commission, committee, or agency that regulates people entering a particular profession or occupation in addition to regulating the conduct of such persons.<sup>17</sup>

## LICENSING FEE

A fee charged at the time an application for a professional or occupational license is submitted to the state agency, board, or commission and any fee charged for the processing of the application for such license.<sup>18</sup>

## LICENSING STATE

The state or territory of the United States that issued the original professional license or certificate for which an endorsement is being requested.

## M

## 'MAY ISSUE'

The agency has discretion to issue a license.<sup>19</sup>



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## **MILITARY**

Refers to the Armed Forces or Reserves of the United States, including the Army, Navy, Marine Corps, Coast Guard, Air Force, Space Force, and the reserve components thereof, the National Guard of any state, the military reserves of any state, or the naval militia of any state.<sup>20</sup>

## **MILITARY DUTY**

Service in the uniformed services on active duty, in the active guard and reserve, and as a military technician.<sup>21</sup>

## **MILITARY SERVICE**

Service performed while an active member of the armed forces of the United States, a reserve component of the armed forces of the United States, or the National Guard.<sup>22</sup>

## **MILITARY DEPENDENT**

Includes the spouse of the service member, as well as the service member's dependents (children, etc.).<sup>23</sup>

## **MILITARY SPOUSE**

The spouse of an individual who is a member of the armed forces of the United States.<sup>24</sup>

## **RESIDENT MILITARY SPOUSE**

A person who is domiciled in the state in question who is the spouse of an active duty member of the Armed Forces of the United States who has been transferred to the state in question in the course of the member's service.<sup>25</sup>



## NONRESIDENT MILITARY SPOUSE

A person who is not domiciled in the state in question who is the spouse of an active duty member of the Armed Forces of the United States who has been transferred to the state in question in the course of the member's service.<sup>26</sup>

## MUTUAL RECOGNITION

Mutual recognition occurs when a state chooses to recognize the education and experience that a licensee has obtained in another state.

## O

## OCCUPATION / PROFESSION

An activity for which a license is required from a board or similar activity for which a license is required in another state or jurisdiction.<sup>27</sup>

## OCCUPATIONAL LICENSURE

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.<sup>28</sup>

## OCCUPATIONAL LICENSING BOARD / ENTITY

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.<sup>29</sup>



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## P

### PRIVATE CERTIFICATION

A voluntary program in which a private organization grants nontransferable recognition to an individual who meets personal qualifications and standards relevant to performing the occupation as determined by the private organization.<sup>30</sup>

### PROFESSIONAL LICENSING BOARD

*See Occupational Licensing Board/Entity above.*

### PROVISIONAL LICENSE

A license subject to specific conditions the license-holder must meet.<sup>31</sup>

## R

### RECIPROCITY

License reciprocity occurs when one state honors the official license of another state.<sup>32</sup> Every state has different license reciprocity rules and regulations, oftentimes varying for different occupations.

## S

### SCOPE OF PRACTICE

The procedures, actions, processes and work that a person may perform under a government issued license, registration, or certificate.<sup>33</sup>



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## SERVICE MEMBER

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; an active component of the National Oceanic and Atmospheric Administration Commissioned Officer Corps; or an active or reserve component member of the United States Commissioned Corps of the Public Health Service.<sup>34</sup>

## 'SHALL ISSUE'

The agency is required to issue license.<sup>35</sup>

## STATE AGENCY

A department of the state that has authority to determine license issuance or renewal.<sup>36</sup>

## SUBSTANTIALLY EQUIVALENT

The license from the prior state does not meet the exact criteria for the license in the new state but the prior state's licensure criteria is greatly similar to the new state's licensure criteria in value based on education or training.<sup>37</sup>

## T

## TEMPORARY LICENSE

A license that is valid for a limited period of time or for a limited scope.<sup>38</sup>



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## U

### **UNIFORMED SERVICES**

Refers to the armed forces, the commissioned corps of the National Oceanic and Atmospheric Administration, and the commissioned corps of the Public Health Service.<sup>39</sup>

### **UNIVERSAL RECOGNITION**

Licensure recognition for all individuals that hold a license from out of state, while not requiring applicant to specifically have military spouse status for such recognition.

## V

### **VETERAN**

A person who has received an honorable discharge or separation from military service.<sup>40</sup>



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## FREQUENTLY ASKED QUESTIONS

### **Q: DO I HAVE TO BE LIVING IN MY NEW STATE OF RESIDENCE BEFORE I CAN APPLY FOR A LICENSE?**

**A:** Depending on the state you are relocating to, you may or may not be able to apply for a license prior to relocating. Please reference the chart to see if you can apply before moving to your new state.<sup>41</sup>

### **Q: TO QUALIFY FOR TRANSFERRABLE LICENSES, MUST SPOUSES OF MILITARY PERSONNEL PROVIDE PROOF OF ORDERS FROM THEIR SPOUSE'S RESPECTIVE BRANCHES?**

**A:** Yes, spouses of military personnel, that have been ordered to a different state, should be prepared with proof of orders for their respective licensing agencies.

### **Q: DO THE LAWS REGARDING OCCUPATIONAL LICENSE TRANSFERABILITY FOR MILITARY SPOUSES APPLY TO SPOUSES OF VETERANS?**

**A:** Generally, the statutes provided on this webpage will only apply to the spouses of military personnel who are moving pursuant to their military spouse's orders. However, it is advised that the spouse should check with the agency and the specific state in which they are to move.



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## Q: HOW OFTEN SHOULD A MILITARY SPOUSE CHECK THE DOL WEBSITE IN ORDER TO KEEP THEMSELVES UP TO DATE ON ANY CHANGE TO LEGISLATION?

**A:** To keep up to date with statute changes, it is recommended that military spouses check the website every month or as often as needed

<sup>1</sup> WYO. STAT. ANN. § 33-1-117(a)(i) (2021).

<sup>2</sup> 10 U.S.C. § 101(d)(1) (2021). Active duty includes full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the military department concerned. Active duty does not include full-time National Guard duty. *See also*, TEX. PROP. CODE ANN. § 55.001(1) (2021).

<sup>3</sup> 10 U.S.C. § 101(a)(4) (2021).

<sup>4</sup> WYO. STAT. ANN. § 33-1-117(a)(ii) (2021).

<sup>5</sup> KAN. STAT. ANN. § 48-3406(a)(1) (2021).

<sup>6</sup> OR. REV. STAT. § 676.308(1)(a) (2021).

<sup>7</sup> ARK. CODE ANN. § 17-4-103(1) (2021).

<sup>8</sup> *See, e.g.*, N.D. CENT. CODE § 43-51-01(1) (2021); OR. REV. STAT. § 670.400(1)(b) (2021) (defining “professional licensing board”); N.J. STAT. ANN. § 45:1-15.5(a) (2021); N.D. CENT. CODE § 43-51-01(1) (2021).

<sup>9</sup> *See, e.g.*, IND. CODE ANN. § 25-1-17-5(2) (LexisNexis 2021), *and* N.C. GEN. STAT. § 93B-15.1(b)(2) (2021). *See also* BLACK’S LAW DICTIONARY, 302 (8th ed. 2004) (defining competence as “[a] basic or minimal ability to do something...”).

<sup>10</sup> *See, e.g.*, ARIZ. REV. STAT. § 41-1093.04(D) (LexisNexis 2021); HAW. REV. STAT. § 436B-14.7(a)(10) (2021); IND. CODE § 25-1-17-8(a)(3) (2021); KAN. STAT. ANN. § 48-3406(c)(2)(E) (2021); LA. REV. STAT. ANN. § 37:3651(A)(5) (2021); MISS. CODE ANN. § 73-50-1(3)(c) (2021).

<sup>11</sup> BLACK’S LAW DICTIONARY 523 (8th ed. 2004).

<sup>12</sup> *See, e.g.*, ALA. CODE § 31-1-6(d) (LexisNexis 2021); ARK. CODE ANN. § 17-4-106 (2021); CAL. BUS. & PROF. CODE § 115.5 (2021); GA. CODE ANN. § 43-1-34.1 (2021); IDAHO CODE ANN. § 67-9405 (2021); ILL. COMP. STAT. ANN. 5/5-715 (LexisNexis 2021); MD. CODE ANN., Bus. Reg. § 2.5-105 (LexisNexis 2021);



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MASS. ANN. LAWS ch. 112, § 1B(d) and (e) (LexisNexis 2021); MINN. STAT. § 197.4552 (2021); N.Y. EDUC. LAW § 6501(2)(a) (2021); OKLA. STAT. tit. 59, § 4100.5 (2021); R.I. GEN. LAWS § 5-88-1(a) (2021); VT. STAT. ANN. tit. 3, § 123(g)(1)(B) (2021); VA. CODE ANN. § 54.1-119(A) (2021); WASH. REV. CODE ANN. § 18.340.020(2) (2021); WIS. STAT. § 440.09(4) (2021); WYO. STAT. ANN. § 33-1-117(b) (2021).

<sup>13</sup> N.D. CENT. CODE § 43-51-01(2) (2021).

<sup>14</sup> See, e.g., ARIZ. REV. STAT. ANN. § 32-4302(A)(1) (LexisNexis 2021); ARK. CODE ANN. § 17-4-105(2) (2021); CAL. BUS. & PROF. CODE § 115.6(c)(3) (2021); COLO. REV. STAT. § 12-20-202(2)(c)(II)(A) (2021); CONN. GEN. STAT. § 21a-11b(a)(C) (2021); GA. CODE ANN. § 43-1-34.1(b)(3) (2021); HAW. REV. STAT. § 436B-14.7(a)(3) (2021); IND. CODE § 25-1-17-5(4) (2021); IOWA CODE § 272C.12(1)(a) (2021); KAN. STAT. ANN. § 48-3406(f)(4) (2021); KY. REV. STAT. ANN. § 12.245(1)(b) (LexisNexis 2021); LA. REV. STAT. ANN. § 37:3651(A)(4) (2021); ME. REV. STAT. tit. 10 § 8011 (2021); MD. CODE ANN., Bus. Reg. § 2.5-105(b)(2)(i) (LexisNexis 2021); MICH. COMP. LAWS SERV. § 339.213(2)(b) (LexisNexis 2021); MISS. CODE ANN. § 73-50-1(3)(c) (2021); MO. REV. STAT. § 324.009(4)(1) (2021); N.M. STAT. ANN. § 61-1-34(A)(2) (2021); N.Y. EDUC. LAW § 6501(2)(a) (2021); N.C. GEN. STAT. § 93B-15.1(b)(4) (2021); OHIO REV. CODE ANN. § 4743.041(B)(2) (LexisNexis 2021); OKLA. STAT. tit. 59, § 4100.8(B) (2021); OR. REV. STAT. § 670.400(2)(c) (2021); N.D. CENT. CODE § 43-51-01(3) (2021) (The license must not be issued on a temporary or restricted basis, and must not be encumbered or on probation, suspended, or revoked; 63 PA. CONS. STAT. § 3111(a)(4) (2021); S.C. CODE ANN. § 27-1-170(E)(3) (2021); S.D. CODIFIED LAWS § 36-1B-1(1) (2021); TEX. REV. CIV. STAT. ANN. § 55.0041(a) (2021); VT. STAT. ANN. tit. 3 § 123(g)(1)(B) (2021); W. VA. CODE ANN. § 30-1B-4(a) (2021); WIS. STAT. § 440.09(2)(f) (2021); WYO. STAT. ANN. § 33-1-117(a)(iii) (2021).

<sup>15</sup> See, e.g., IDAHO CODE ANN. § 67-9403(3) (2021) (defining “licensure”); MISS. CODE ANN. § 73-50-1(2)(a) (2021); MONT. CODE ANN. § 37-1-302(6) (2021); N.M. STAT. ANN. § 61-1-34 (F)(1) (LexisNexis 2021); N.D. CENT. CODE § 43-51-01(4) (2021); TENN. CODE ANN. § 4-3-1304(d)(1)(A) (2021) (excluding from the definition of “license” “licenses issued to business entities, firms, physical locations, and supervisory personnel.”); TEX. PROP. CODE ANN. § 55.001(3) (2021).

<sup>16</sup> See 20 L.P.R.A. § 6041(8). For example, some states’ disqualifying criminal histories include history of felony offense, violent crime, or dangerous crimes against children

<sup>17</sup> See, e.g., IDAHO CODE ANN. § 67-9403(2) (2021); N.C. GEN. STAT. § 93B-1(2) (2021); KAN. STAT. ANN. § 48-3406(a)(3) (defining “Licensing Body” as “an official, agency, board or other entity of the state which authorizes individuals to practice a profession in this state and issues a license, registration, certificate, permit or other authorization to an individual so authorized.”) (2021); OR. REV. STAT. § 670.400(1)(b) (2021) (defining “professional licensing board”).

<sup>18</sup> N.M. STAT. ANN. § 61-1-34(E)(1) (2021) (This does not include a fee for an annual inspection or examination of a license or a fee charged for copies of documents, replacement licenses, or other expenses related to a professional or occupational license).

<sup>19</sup> See, e.g., 10 U.S.C. § 101(f)(2) (2021) defining “may” as “used in a permissive sense”.



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<sup>20</sup> IDAHO CODE ANN. § 67-9403(4) (2021); MISS. CODE ANN. § 73-50-1(2)(c) (2021); MO. REV. STAT. § 324.009(1)(2) (2021).

<sup>21</sup> OHIO REV. CODE ANN. § 4743.041(A) (LexisNexis 2021).

<sup>22</sup> IND. CODE § 25-1-17-2 (2021).

<sup>23</sup> 37 U.S.C. § 401 (2021) defines "Dependent" as:

(a) Dependent Defined.-In this chapter, the term 'dependent', with respect to a member of a uniformed service, means the following persons:

- (1) The spouse of the member.
- (2) An unmarried child of the member who-
  - (A) is under 21 years of age;
  - (B) is incapable of self-support because of mental or physical incapacity and is in fact dependent on the member for more than one-half of the child's support; or
  - (C) is under 23 years of age, is enrolled in a full-time course of study in an institution of higher education approved by the Secretary concerned for purposes of this subparagraph, and is in fact dependent on the member for more than one-half of the child's support.
- (3) A parent of the member if-
  - (A) the parent is in fact dependent on the member for more than one-half of the parent's support;
  - (B) the parent has been so dependent for a period prescribed by the Secretary concerned or became so dependent due to a change of circumstances arising after the member entered on active duty; and
  - (C) the dependency of the parent on the member is determined on the basis of an affidavit submitted by the parent and any other evidence required under regulations prescribed by the Secretary concerned.
- (4) An unmarried person who-
  - (A) is placed in the legal custody of the member as a result of an order of a court of competent jurisdiction in the United States (or Puerto Rico or a possession of the United States) for a period of at least 12 consecutive months;
  - (B) either-
    - (i) has not attained the age of 21;
    - (ii) has not attained the age of 23 years and is enrolled in a full time course of study at an institution of higher learning approved by the Secretary concerned; or
    - (iii) is incapable of self support because of a mental or physical incapacity that occurred while the person was considered a dependent of the member or former member under this paragraph pursuant to clause (i) or (ii);
  - (C) is dependent on the member for over one-half of the person's support;
  - (D) resides with the member unless separated by the necessity of military service or to receive institutional care as a result of disability or incapacitation or under



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such other circumstances as the Secretary concerned may by regulation prescribe; and

(E) is not a dependent of a member under any other paragraph.

(b) Other Definitions.-For purposes of subsection (a):

(1) The term "child" includes-

(A) a stepchild of the member (except that such term does not include a stepchild after the divorce of the member from the stepchild's parent by blood);

(B) an adopted child of the member, including a child placed in the home of the member by a placement agency (recognized by the Secretary of Defense) in anticipation of the legal adoption of the child by the member; and

(C) an illegitimate child of the member if the member's parentage of the child is established in accordance with criteria prescribed in regulations by the Secretary concerned.

(2) The term "parent" means-

(A) a natural parent of the member;

(B) a stepparent of the member;

(C) a parent of the member by adoption;

(D) a parent, stepparent, or adopted parent of the spouse of the member; and

(E) any other person, including a former stepparent, who has stood in loco parentis to the member at any time for a continuous period of at least five years before the member became 21 years of age.

<sup>24</sup> See, e.g., N.D. CENT. CODE § 43-51-01(6) (2021); IND. CODE § 25-1-17-3 (2021); KAN. STAT. ANN. § 48-3406(a)(5) (2021); OR. REV. STAT. § 676.308(1)(c) (2021); TEX. PROP. CODE ANN. § 55.001(5) (2021); WYO. STAT. ANN. § 33-1-117(a)(vi) (2021).

<sup>25</sup> See MO. REV. STAT. § 324.009(1)(5) (2021).

<sup>26</sup> See, e.g., MO. REV. STAT. § 324.009(1)(3) (2021); N.J. STAT. ANN. § 45:1-15.5(a) (2021).

<sup>27</sup> OR. REV. STAT. § 670.400(1)(a) (2021); N.D. CENT. CODE § 43-51-01(7) (2021).

<sup>28</sup> ARK. CODE ANN. § 17-4-103(3) (2021).

<sup>29</sup> ARK. CODE ANN. § 17-4-103(2) (2021); MISS. CODE ANN. § 73-50-1(2)(b) (2021); OR. REV. STAT. § 670.400(1)(b) (2021).

<sup>30</sup> KAN. STAT. ANN. § 48-3406(a)(6) (2021)

<sup>31</sup> See BLACK'S LAW DICTIONARY 1262 (8th ed. 2004) (defining "provisional" as "[t]emporary; conditional.").

<sup>32</sup> See BLACK'S LAW DICTIONARY 1298 (8th ed. 2004) (defining "reciprocity" as "...[m]utual or bilateral action; The mutual concession of advantages or privileges for purposes of commercial or diplomatic relations...").

<sup>33</sup> KAN. STAT. ANN. § 48-3406(a)(7) (2021).



<sup>34</sup> See, e.g., ARK. CODE ANN. § 17-4-103(4) (2021); KAN. STAT. ANN. § 48-3406(a)(4) (2021); N.D. CENT. CODE § 43-51-01(5) (2021); N.M. STAT. ANN. § 61-1-34(E)(2) (2021); TEX. PROP. CODE § 55.001 (7) (2021) (defining “Military service member” as “a person who is on active duty”); Wis. STAT. § 440.09(1)(b) (2021); WYO. STAT. ANN. § 33-1-117(a)(v) (2021).

<sup>35</sup> See e.g., 10 U.S.C. § 101(f)(1) defining “shall” as “used in an imperative sense”.

<sup>36</sup> N.Y. Gen. Oblig. Law § 3-503(1)(a) (Consol., Lexis Advance through 2021 released Chapters 1-674); TENN. CODE ANN. § 4-3-1304(d)(1)(C) (2021); TEX. PROP. CODE § 55.001 (7) (2021).

<sup>37</sup> See BLACK’S LAW DICTIONARY 1469 (8th ed. 2004) (defining “substantial equivalent” in the context of patent law as meaning, “[t]he same essential thing...so that if [they] perform substantially the same function in substantially the same way to achieve the same result, they are equivalent even though they differ in name, form, or shape.”).

<sup>38</sup> See OHIO REV. CODE ANN. § 4743.041 (2021).

<sup>39</sup> 10 U.S.C. § 101(a)(5) (2021).

<sup>40</sup> See, e.g., ARK. CODE ANN. § 17-4-103(4) (2021); IDAHO CODE ANN. § 67-9403(5) (2021); N.M. STAT. ANN. § 61-1-34(E)(3) (2021); TEX. PROP. CODE ANN. § 55.001(6) (2021).

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State	State May Require Residency Prior to Application – (confirm with individual state agency)	State Expressly Allows Application Prior to Residency
Alabama	X	
Alaska	X	
Arizona	X	
Arkansas	X	
California	X	
Colorado	X	
Connecticut	X	
Delaware	X	



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State	State May Require Residency Prior to Application – (confirm with individual state agency)	State Expressly Allows Application Prior to Residency
Florida	X	
Georgia	X	
Hawaii	X	
Idaho		X
Illinois		X
Indiana	X	
Iowa		X
Kansas		X
Kentucky		X
Louisiana	X	
Maine	X	
Maryland		X
Massachusetts	X	
Michigan	X	
Minnesota	X	
Mississippi	X	
Missouri		X
Montana	X	



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State	State May Require Residency Prior to Application – (confirm with individual state agency)	State Expressly Allows Application Prior to Residency
Nebraska		X
Nevada	X	
New Hampshire	X	
New Jersey	X	
New Mexico	X	
New York	X	
North Carolina	X	
North Dakota	X	
Ohio	X	
Oklahoma		X
Oregon		X
Pennsylvania	X	
Puerto Rico	X	
Rhode Island	X	
South Carolina	X	
South Dakota	X	
Tennessee		X
Texas		X



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State	State May Require Residency Prior to Application – (confirm with individual state agency)	State Expressly Allows Application Prior to Residency
Utah	X	
Vermont	X	
Virginia	X	
Washington	X	
West Virginia	X	
Wisconsin	X	
Wyoming	X	



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