



General Assembly

Amendment

January Session, 2021

LCO No. 10223



Offered by:

REP. STEINBERG, 136th Dist.

To: Subst. House Bill No. **6449**

File No. 203

Cal. No. 174

**"AN ACT EXPANDING ECONOMIC OPPORTUNITY IN
OCCUPATIONS LICENSED BY THE DEPARTMENT OF PUBLIC
HEALTH."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2021*) (a) An occupational or
4 professional license, permit, certification or registration issued by the
5 Department of Public Health pursuant to chapter 369, 370, 371, 372, 373,
6 374, 375, 375a, 376, 376a, 376b, 376c, 377, 378, 378a, 379, 379a, 380, 381,
7 381a, 381b, 382, 382a, 382b, 382c, 383, 383a, 383b, 383c, 383d, 383e, 383f,
8 383g, 383h, 384, 384a, 384b, 384c, 384d, 385, 386, 387, 387a, 388 or 388a of
9 the general statutes shall be issued, in the occupation or profession
10 applied for and at a practice level determined by the department, to a
11 person who is (1) a resident of this state, as defined in section 12-701 of
12 the general statutes, and provides a current driver's license, utility bill,
13 lease agreement or property deed indicating such person's residence in
14 this state; or (2) married to an active duty member of the armed forces
15 of the United States and accompanies such member, pursuant to an

16 official permanent change of station, to a military installation located in
17 this state if:

18 (A) The person holds a valid license, permit, certification or
19 registration in at least one other jurisdiction in the occupation or
20 profession applied for;

21 (B) The person has practiced under such license, permit, certification
22 or registration for not less than four years;

23 (C) The person is in good standing in all jurisdictions in which he or
24 she holds a license, permit, certification or registration and has not had
25 a license, permit, certification or registration revoked or discipline
26 imposed by any jurisdiction, does not have a complaint, allegation or
27 investigation related to unprofessional conduct pending in any
28 jurisdiction, and has not voluntarily surrendered a license, permit,
29 certification or registration while under investigation for unprofessional
30 conduct in any jurisdiction;

31 (D) The person satisfies any background check or character and
32 fitness check required of other applicants for the license, permit,
33 certification or registration; and

34 (E) The person pays all fees required of other applicants for the
35 license, permit, certification or registration.

36 (b) In addition to the requirements set forth in subsection (a) of this
37 section, the Department of Public Health (1) shall require a resident of
38 this state to take and pass all or a portion of any examination required
39 of other persons applying for the license, permit, certification or
40 registration; and (2) may require a person married to an active duty
41 member of the armed forces of the United States to take all or a portion
42 of such examination.

43 (c) Any person issued a license, permit, certification or registration
44 pursuant to this section shall be subject to the laws of this state and the
45 jurisdiction of the Department of Public Health.

46 (d) Notwithstanding the provisions of this section and pursuant to
47 section 19a-14 of the general statutes, the Commissioner of Public
48 Health may deny an occupational or professional license, permit,
49 certification or registration if he or she finds such denial is in the best
50 interest of the state.

51 Sec. 2. (*Effective July 1, 2021*) (a) The Commissioner of Public Health
52 shall convene working groups to determine whether Connecticut
53 should join any interstate licensure compacts.

54 (b) Such working groups shall consist of (1) the Commissioner of
55 Public Health, the Secretary of the Office of Policy and Management,
56 and the executive director of the Office of Health Strategy, or their
57 designees; (2) the chair of the appropriate board of examiners or
58 advisory board, or his or her designee; (3) a representative of the
59 appropriate state professional association; (4) a representative of the
60 professional assistance program for regulated professions established
61 pursuant to section 19a-12a of the general statutes; and (5) any other
62 members the Commissioner of Public Health deems appropriate. Each
63 working group shall convene not later than sixty days after the effective
64 date of this section.

65 (c) Not later than January 15, 2022, the Commissioner of Public
66 Health shall submit a report, in accordance with the provisions of
67 section 11-4a of the general statutes, to the joint standing committee of
68 the General Assembly having cognizance of matters relating to public
69 health. Such report shall include recommendations that reflect the
70 determinations pursuant to subsection (a) of this section. The working
71 groups shall terminate upon the submission of the report.

72 Sec. 3. (*Effective July 1, 2021*) Not later than January 15, 2022, the
73 Commissioner of Public Health shall submit a report, in accordance
74 with the provisions of section 11-4a of the general statutes, to the joint
75 standing committee of the General Assembly having cognizance of
76 matters relating to public health. Such report shall be developed in
77 consultation with such boards or commissions as the commissioner

78 deems appropriate and shall recommend whether it would be in the
79 best interest of the state (1) for any examination administered by the
80 state pursuant to chapters 369 to 388, inclusive, chapter 393a, chapters
81 395 to 417, inclusive, chapters 435 to 449, inclusive, or chapters 474 to
82 483, inclusive, of the general statutes to be administered by a national
83 organization acceptable to the Department of Public Health, and (2) to
84 reduce any experience and training requirements while increasing any
85 such examination's ability to test applicants' knowledge or skills.

86 Sec. 4. (NEW) (*Effective October 1, 2021*) (a) An occupational or
87 professional license, permit, certification or registration issued by the
88 Department of Consumer Protection pursuant to chapter 389, 390, 391,
89 392, 394, 396, 396a, 399a, 399b, 400, 400b, 400f, 400g, 400h, 400j, 400m,
90 400o or 400p of the general statutes shall be issued, in the occupation or
91 profession applied for and at a practice level determined by the
92 department, to a person who is (1) a resident of this state, as defined in
93 section 12-701 of the general statutes, and provides a current driver's
94 license, utility bill, lease agreement or property deed indicating their
95 residence in this state; or (2) married to an active duty member of the
96 armed forces of the United States and accompanies such member,
97 pursuant to an official permanent change of station, to a military
98 installation located in this state, if such person:

99 (A) Holds a valid license, permit, certification or registration in at
100 least one other jurisdiction in the occupation or profession applied for;

101 (B) Has at least four years of experience, including (i) practice under
102 such license, permit, certification or registration, (ii) classroom
103 education, and (iii) on-the-job training;

104 (C) Is in good standing in all jurisdictions in which he or she holds a
105 license, permit, certification or registration and has not had a license,
106 permit, certification or registration revoked or discipline imposed by
107 any jurisdiction, does not have a complaint, allegation or investigation
108 related to unprofessional conduct pending in any jurisdiction and has
109 not voluntarily surrendered a license, permit, certification or

110 registration while under investigation for unprofessional conduct in any
111 jurisdiction;

112 (D) Satisfies any background check or character and fitness check
113 required of other applicants for the license, permit, certification or
114 registration;

115 (E) Pays all fees required of other applicants for the license, permit,
116 certification or registration; and

117 (F) Takes and passes all or a portion of any examination required of
118 other persons applying for the license, permit, certification or
119 registration, except a person married to an active duty member of the
120 armed forces of the United States may be required to take and pass all
121 or a portion of such examination at the discretion of the Commissioner
122 of Consumer Protection.

123 (b) Any person issued a license, permit, certification or registration
124 pursuant to this section shall be subject to the laws of this state and the
125 jurisdiction of the Department of Consumer Protection.

126 (c) Notwithstanding the other provisions of this section, the
127 Commissioner of Consumer Protection may deny an occupational or
128 professional license, permit, certification or registration if the
129 commissioner finds such denial is in the best interest of the state.

130 (d) A person applying for a license, permit, certification or
131 registration that is not required to practice an occupation or profession
132 in at least twenty-five states who relocates to this state from another
133 state that did not require a license, permit, certification or registration to
134 practice the person's occupation or profession may be considered to
135 have satisfied the conditions of subparagraphs (A) and (B) of
136 subdivision (2) of subsection (a) of this section if he or she establishes to
137 the satisfaction of the Department of Consumer Protection that he or she
138 has four or more years of related work experience with a substantially
139 similar scope of practice within the five years preceding the date of
140 application to said department.

141 Sec. 5. Section 20-333 of the general statutes is repealed and the
142 following is substituted in lieu thereof (*Effective October 1, 2021*):

143 (a) To obtain a license under this chapter, an applicant shall have
144 attained such applicant's eighteenth birthday and shall furnish such
145 evidence of competency as the appropriate board or the Commissioner
146 of Consumer Protection shall require. A recommendation for review
147 issued pursuant to section 31-22u shall be sufficient to demonstrate such
148 competency. The applicant shall satisfy such board or the commissioner
149 that such applicant [is of good moral character,] possesses a diploma or
150 other evidence of graduation from the eighth grade of grammar school,
151 or possesses an equivalent education to be determined on examination
152 and has the requisite skill to perform the work in the trade for which
153 such applicant is applying for a license and can comply with all other
154 requirements of this chapter and the regulations adopted under this
155 chapter. A recommendation for review issued pursuant to section 31-
156 22u shall be sufficient to demonstrate that an applicant possesses such
157 requisite skill and can comply with all other requirements of this chapter
158 and the regulations adopted under this chapter. For any application
159 submitted pursuant to this section that requires a hearing or other action
160 by the applicable examining board or the commissioner, such hearing
161 or other action by the applicable examining board or the commissioner
162 shall occur not later than thirty days after the date of submission for
163 such application. Upon application for any such license, the applicant
164 shall pay to the department a nonrefundable application fee of ninety
165 dollars for a license under subdivisions (2) and (3) of subsection (a) and
166 subdivision (4) of subsection (e) of section 20-334a, or a nonrefundable
167 application fee of one hundred fifty dollars for a license under
168 subdivision (1) of subsection (a), subdivisions (1) and (2) of subsection
169 (b), subdivision (1) of subsection (c) and subdivisions (1), (2) and (3) of
170 subsection (e) of section 20-334a. Any such application fee shall be
171 waived for persons who present a recommendation for review issued
172 pursuant to section 31-22u.

173 (b) The department shall conduct such written, oral and practical
174 examinations as the appropriate board, with the consent of the

175 commissioner, deems necessary to test the knowledge of the applicant
176 in the work for which a license is being sought. The department shall
177 allow any applicant, who has not participated in an apprenticeship
178 program but presents a recommendation for review issued pursuant to
179 section 31-22u, to sit for any such examination. Any person completing
180 the required apprentice training program for a journeyman's license
181 under section 20-334a shall, within thirty days following such
182 completion, apply for a licensure examination given by the department.
183 If an applicant does not pass such licensure examination, the
184 commissioner shall provide each failed applicant with information on
185 how to retake the examination and a report describing the applicant's
186 strengths and weaknesses in such examination. Any apprentice permit
187 issued under section 20-334a to an applicant who fails three licensure
188 examinations in any one-year period shall remain in effect if such
189 applicant applies for and takes the first licensure examination given by
190 the department following the one-year period from the date of such
191 applicant's third and last unsuccessful licensure examination.
192 Otherwise, such permit shall be revoked as of the date of the first
193 examination given by the department following expiration of such
194 one-year period.

195 (c) The Commissioner of Consumer Protection, subject to section 46a-
196 80, may deny a license or may issue a license pursuant to a consent order
197 containing conditions that shall be met by the applicant if the applicant
198 reports that he or she has been found guilty or convicted as a result of
199 an act which constitutes a felony under (1) the laws of this state at the
200 time of application for such license, (2) federal law at the time of
201 application for such license, or (3) the laws of another jurisdiction, and
202 which, if committed within this state, would constitute a felony under
203 the laws of this state.

204 ~~[(c)]~~ (d) When an applicant has qualified for a license, the department
205 shall, upon receipt of the license fee or upon waiver of such fee pursuant
206 to section 20-335, issue to such applicant a license entitling such
207 applicant to engage in the work or occupation for which a license was
208 sought and shall register each successful applicant's name and address

209 in the roster of licensed persons authorized to engage in the work or
 210 occupation within the appropriate board's authority. All fees and other
 211 moneys collected by the department shall be promptly transmitted to
 212 the State Treasurer as provided in section 4-32.

213 Sec. 6. (*Effective October 1, 2021*) The Departments of Administrative
 214 Services, Agriculture, Consumer Protection, Correction, Emergency
 215 Services and Public Protection and Public Health, the Labor
 216 Department, and the Office of Early Childhood shall, not later than
 217 January 1, 2022, report to the Secretary of the Office of Policy and
 218 Management on (1) the number of employees who perform background
 219 checks related to the department's or office's licensing functions, the job
 220 classifications of such employees, and the type or level of clearance of
 221 the background checks that are being performed, (2) the number of
 222 hours each such employee spends on average per week performing
 223 background checks, and (3) for any licenses in which some education or
 224 training is required of the applicant prior to obtaining a license, the
 225 feasibility of establishing a preclearance assessment of criminal history
 226 prior to potential applicants beginning such education or training. Such
 227 recommendations shall additionally assess the feasibility of centralizing
 228 and standardizing background checks performed by state government
 229 agencies and shall address any related issues of delegation of authority
 230 by such agencies."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	New section
Sec. 2	<i>July 1, 2021</i>	New section
Sec. 3	<i>July 1, 2021</i>	New section
Sec. 4	<i>October 1, 2021</i>	New section
Sec. 5	<i>October 1, 2021</i>	20-333
Sec. 6	<i>October 1, 2021</i>	New section