

## Arizona Becomes First State to Recognize Professional Licenses from All States

When Arizona Governor Doug Ducey signed [HB 2569](#) on April 10, 2019 he proclaimed that "Arizona is open for business". The move is unprecedented. Will this encourage other states to finally recognize that skills and abilities don't change just by crossing a state line? Will it encourage more professionals to move here? The answer to both questions is "Maybe, we just have to wait and see".

Arizona has been moving in this direction for several years. In fact, the new law extends to everyone the same privilege that has been extended to spouses of military personnel for a number of years. In the name of licensure portability, the Arizona Dental Practice Act has been modified a number of times in recent years to make moving here easier.

So, what happens now?

The law goes into effect 90 days after the Arizona State Legislature adjourns. They are still in session, so TBD on that one. Also, the Arizona State Board of Dental Examiners (BODEX) will have to analyze the bill and determine how they will implement it. Some questions they will have to address include:

- 1) Does this law completely negate all the current licensure or certification by credential procedures and fees? Besides dental, dental hygiene, and dental therapy licenses, there are five certifications issued or recognized by BODEX: For dental assistants - Coronal Polishing, Radiologic Proficiency, and Expanded Functions-Restorative certifications; for dental hygienists - Local Anesthesia and Nitrous Oxide Analgesia certifications.
- 2) The law stipulates that the person is currently licensed or certified in another state "at the same practice level as determined by the regulating entity". Will all dental therapy licenses be recognized given that not all dental therapists have a dental hygiene background?
- 3) The law stipulates that the person establishes residence in AZ. How will BODEX determine this? (more on this below)

The law lays out the basic criteria someone from another state must meet in order to obtain an AZ license or certificate. To learn more about that, continue reading.

The law states that an occupational or professional license or certificate shall be issued to a person who establishes residence in AZ if ALL the following apply:

1. The person is currently licensed or certified in another state.
2. The person has held a license or certificate in another state for at least one year.
3. The other state verifies that the person met all minimum educational, clinical, and testing requirements required by that other state.
4. All licenses and certificates are in "good standing" meaning the person has not been disciplined, had a revoked license or certificate, voluntarily surrendered a license or certificate while under investigation, and there are no current pending complaints against him/her.
5. The person does not have a disqualifying criminal history (e.g. felony or violent crime conviction).
6. The person takes a jurisprudence exam (if normally required for licensure or certification).

7. The person pays all applicable fees.

The law also stipulates that fingerprint clearance cards can still be required.

How does a person "establish residence"?

In general, you establish residency by meeting certain time, employment and/or physical presence requirements as established by the agency. There are different "residency" requirements when obtaining a driver's license, when registering as a voter, enrolling as a college student, serving on jury duty, or filing tax returns. So, what will be the requirements for establishing residence for the purpose of obtaining a license or certificate from the State Board of Dental Examiners? Will an AZ driver's license suffice? Obtaining a driver's license in AZ only requires two documents with your current address such as a bank statement or utility bill. Will BODEX require that you physically spend 6 months, 9 months or even 12 months in Arizona BEFORE you can obtain a license or certificate (e.g. Arizona Fish and Game requires you spend 6 consecutive months here before getting a hunting license or permit). Imposing a time requirement seems counter to Governor Ducey's very public promise that people who move here can get to work right away!

How BODEX will determine that an applicant has "established residence" remains to be seen.