



General Assembly

Amendment

January Session, 2021

LCO No. 10440



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 368v, 370, 372, 373,
6 375, 375a, 376, 376a, 376b, 376c, 377, 378, 378a, 379, 379a, 380, 381, 381a,
7 381b, 382a, 382b, 382c, 383, 383a, 383b, 383c, 383d, 383e, 383f, 383g, 383h,
8 384, 384a, 384b, 384c, 384d, 385, 386, 387, 387a, 388, 388a, 393a, 395, 397a,
9 398, 399, 400a, 400c or 474 of the general statutes shall be issued, in the
10 occupation or profession applied for and at a practice level determined
11 by the department, to a person who is (1) a resident of this state, as
12 defined in section 12-701 of the general statutes, and provides a current
13 driver's license, utility bill, lease agreement or property deed indicating

14 such person's residence in this state; or (2) married to an active duty
15 member of the armed forces of the United States and accompanies such
16 member, pursuant to an official permanent change of station, to a
17 military installation located in this state if:

18 (A) The person holds a valid license, permit, certification or
19 registration in at least one other jurisdiction in the United States in the
20 occupation or 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 the United
24 States in which he or she holds a license, permit, certification or
25 registration and has not had a license, permit, certification or
26 registration revoked or discipline imposed by any jurisdiction in the
27 United States, does not have a complaint, allegation or investigation
28 related to unprofessional conduct pending in any jurisdiction, and has
29 not voluntarily surrendered a license, permit, certification or
30 registration while under investigation for unprofessional conduct in any
31 jurisdiction;

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

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

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

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

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

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

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

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

73 Sec. 3. (*Effective July 1, 2021*) Not later than January 15, 2022, the
74 Commissioner of Public Health shall submit a report, in accordance
75 with the provisions of section 11-4a of the general statutes, to the joint

76 standing committee of the General Assembly having cognizance of
77 matters relating to public health. Such report shall be developed in
78 consultation with such boards or commissions as the commissioner
79 deems appropriate and shall recommend whether it would be in the
80 best interest of the state (1) for any examination administered by the
81 state pursuant to chapter 368v, 370, 372, 373, chapters 375 to 388a,
82 inclusive, chapter 393a, 395, chapters 397a to 399, inclusive, chapter
83 400a, 400c or 474 of the general statutes to be administered by a national
84 organization acceptable to the Department of Public Health, and (2) to
85 reduce any experience and training requirements while increasing any
86 such examination's ability to test applicants' knowledge or skills.

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

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

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

106 (C) Is in good standing in all jurisdictions in United States in which
107 he or she holds a license, permit, certification or registration and has not

108 had a license, permit, certification or registration revoked or discipline
109 imposed by any jurisdiction, does not have a complaint, allegation or
110 investigation related to unprofessional conduct pending in any
111 jurisdiction and has not voluntarily surrendered a license, permit,
112 certification or registration while under investigation for unprofessional
113 conduct in any jurisdiction;

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

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

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

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

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

132 (d) A person applying for a license, permit, certification or
133 registration that is not required to practice an occupation or profession
134 in at least twenty-five states who relocates to this state from another
135 state that did not require a license, permit, certification or registration to
136 practice the person's occupation or profession may be considered to
137 have satisfied the conditions of subparagraphs (A) and (B) of
138 subdivision (2) of subsection (a) of this section if he or she establishes to

139 the satisfaction of the Department of Consumer Protection that he or she
140 has four or more years of related work experience with a substantially
141 similar scope of practice within the five years preceding the date of
142 application to said department.

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

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

173 waived for persons who present a recommendation for review issued
174 pursuant to section 31-22u.

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

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

206 [(c)] (d) When an applicant has qualified for a license, the department
 207 shall, upon receipt of the license fee or upon waiver of such fee pursuant
 208 to section 20-335, issue to such applicant a license entitling such
 209 applicant to engage in the work or occupation for which a license was
 210 sought and shall register each successful applicant's name and address
 211 in the roster of licensed persons authorized to engage in the work or
 212 occupation within the appropriate board's authority. All fees and other
 213 moneys collected by the department shall be promptly transmitted to
 214 the State Treasurer as provided in section 4-32.

215 Sec. 6. (*Effective October 1, 2021*) The Departments of Administrative
 216 Services, Agriculture, Consumer Protection, Correction, Emergency
 217 Services and Public Protection and Public Health, the Labor
 218 Department, and the Office of Early Childhood shall, not later than
 219 January 1, 2022, report to the Secretary of the Office of Policy and
 220 Management on (1) the number of employees who perform background
 221 checks related to the department's or office's licensing functions, the job
 222 classifications of such employees, and the type or level of clearance of
 223 the background checks that are being performed, (2) the number of
 224 hours each such employee spends on average per week performing
 225 background checks, and (3) for any licenses in which some education or
 226 training is required of the applicant prior to obtaining a license, the
 227 feasibility of establishing a preclearance assessment of criminal history
 228 prior to potential applicants beginning such education or training. Such
 229 recommendations shall additionally assess the feasibility of centralizing
 230 and standardizing background checks performed by state government
 231 agencies and shall address any related issues of delegation of authority
 232 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
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