

## **Military Spouses can Transfer Professional Licenses or Certificates During Military Moves (except lawyers)**

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Law Review Subject Index Code(s)

4.0 – Soldiers’ and Sailors’ Civil Relief Act (SSCRA) and the Servicemembers’ Civil Relief Act (SCRA) Generally

5.0 – Military Service and Family Obligations

Congress recently passed, and President Joe Biden signed into law, the Military Spouse Licensing Relief Act as part of the Veterans Auto and Education Improvement Act of 2022.<sup>3</sup> This act amends the Servicemembers Civil Relief Act and became effective immediately upon signing. This amendment allows military spouses to transfer their professional licenses to their new military residence.

Military spouses face many hurdles when their service member receives orders, including finding a new place to live, a new job, and settling in an entirely new environment. Spouses who work in fields that require professional or occupational licensure in order to work often face even more difficult paths to transition. Obtaining a new professional license is often

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<sup>1</sup> Please see [www.roa.org/lawcenter](http://www.roa.org/lawcenter). You will find more than 2,000 “Law Review” articles about the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Servicemembers Civil Relief Act (SCRA), the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), the Uniformed Services Former Spouses’ Protection Act (USFSPA), and other laws that are especially pertinent to those who serve our country in uniform. You will also find a detailed Subject Index, to facilitate finding articles about specific topics. The Reserve Officers Association, now doing business as the Reserve Organization of America (ROA), initiated this column in 1997, and add new articles each month. Capt. Samuel F. Wright is the author of more than 90% of the articles published so far, but we are always looking for “other than Sam” articles by other lawyers.

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<sup>3</sup> Veterans Auto and Education Improvement Act of 2022, Pub. L. No. 117-333.

expensive, time-consuming, and results in a hit to the overall family income while the spouse waits for their license to work.<sup>4</sup>

This new law provides much-needed relief to these military families by providing license portability in all fields, except for the practice of law. This license portability applies not only to a military spouse, but to the servicemember as well.

### **How to Obtain a New License When You Move**

A servicemember or spouse's occupational license will be valid in the jurisdiction of military residence for the entire duration of the military orders. In order to actually obtain the license, the individual seeking the license must:

1. Provide a copy of military orders to the licensing authority in the jurisdiction in which the new residence is located
2. Remain in good standing with the licensing authority that issued the initial license and every other licensing authority that has issued to the servicemember or the spouse of a servicemember a license valid at a similar scope of practice
3. Submit to the authority of the licensing authority in the new jurisdiction for the purposes of standards of practice, discipline, and fulfillment of any continuing education requirements.<sup>5</sup>

If your original licensing jurisdiction has an interstate compact in place and you are able to work in multiple jurisdictions through that compact, that compact will take precedence over this law.<sup>6</sup> Also, you must have "actively used" the license during the two years immediately preceding military relocation.<sup>7</sup>

### **Please join or support ROA**

This article is one of 2,000-plus "Law Review" articles available at [www.roa.org/lawcenter](http://www.roa.org/lawcenter). The Reserve Officers Association, now doing business as the Reserve Organization of America (ROA) initiated this column in 1997, and we add new articles each month.

ROA is more than a century old—it was established on 10/1/1922 by a group of veterans of "The Great War," as World War I was then known. One of those veterans was Captain Harry S. Truman. As President, in 1950, he signed our congressional charter. Under that charter, our mission is to advocate for the implementation of policies that provide for adequate national

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<sup>4</sup> Karen Jowers, *It's official: Military spouses to get employment relief after moving*, MILITARYTIMES (Jan. 6, 2023), <https://www.militarytimes.com/news/your-military/2023/01/06/its-official-military-spouses-to-get-employment-relief-after-moving/>.

<sup>5</sup> Veterans Auto and Education Improvement Act of 2022, Pub. L. No. 117-333.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

security. For more than a century, we have argued that the Reserve Components, including the National Guard, are a cost-effective way to meet our nation's national defense needs.

Through these articles, and by other means, including amicus curiae ("friend of the court") briefs that we file in the Supreme Court and other courts, we educate service members, military spouses, attorneys, judges, employers, ESGR volunteers, DOL investigators, congressional and state legislative staffers, and others about the legal rights of service members and about how to exercise and enforce those rights. We provide information to service members, without regard to their membership status, or lack thereof, in our organization, but please understand that ROA members, through their dues and contributions, pay the cost of providing this service and all the other great services that ROA provides.

If you are now serving or have ever served in any of our country's eight uniformed services,<sup>8</sup> you are eligible for membership in ROA, and a one-year membership only costs \$20 or \$450 for a life membership.<sup>9</sup> Enlisted personnel as well as officers are eligible for full membership, and eligibility applies to persons who are serving or have served in the Active Component of the armed forces, as well as the National Guard and Reserve.

If you are eligible, please join. You can join on-line at [www.roa.org](http://www.roa.org) or call ROA at 800-809-9448. If you are not eligible, please contribute to help us continue our vital work. You can send us a contribution at:

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1 Constitution Avenue NE  
Washington, DC 20002<sup>10</sup>

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<sup>8</sup> Congress recently created the United States Space Force as the 8<sup>th</sup> uniformed service.

<sup>9</sup> If you are under the age of 35, you can become an associate member for free for five years or when you turn 35, whichever comes first.

<sup>10</sup> You can also contribute on-line at [www.roa.org](http://www.roa.org).