



State of Utah Department of Commerce

Division of Occupational and Professional Licensing

GARY R. HERBERT
Governor

FRANCINE A. GIANI
Executive Director

MARK B. STEINAGEL
Division Director

MEMORANDUM

DATE: January 29, 2013
RE: Military Exemptions
FROM: Mark B. Steinagel, Director of Division of Occupational & Professional Licensing

This letter is to verify that the State of Utah Legislature passed a law allowing military personnel and spouses of active military personnel in Utah to practice their profession without licensure in Utah.

The following is the statute language:

58-1-307. Exemptions from licensure.

- (1) Except as otherwise provided by statute or rule, the following persons may engage in the practice of their occupation or profession, subject to the stated circumstances and limitations, without being licensed under this title:
 - (a) an individual serving in the armed forces of the United States, the United States Public Health Service, the United States Department of Veterans Affairs, or other federal agencies while engaged in activities regulated under this chapter as a part of employment with that federal agency if the individual holds a valid license to practice a regulated occupation or profession issued by any other state or jurisdiction recognized by the division;
 - (k) the spouse of an individual serving in the armed forces of the United States while the individual is stationed within this state, provided:
 - (i) the spouse holds a valid license to practice a regulated occupation or profession issued by any other state or jurisdiction recognized by the division; and
 - (ii) the license is current and the spouse is in good standing in the state of licensure.
- (2)
 - (a) A practitioner temporarily in this state who is exempted from licensure under Subsection (1) shall comply with each requirement of the licensing jurisdiction from which the practitioner derives authority to practice.
 - (b) Violation of a limitation imposed by this section constitutes grounds for removal of exempt status, denial of license, or other disciplinary proceedings.

It is the responsibility of the employer and practitioner to determine if the practitioner meets the military exemption and then practice to the recognized standard. The Division recommends that you verify the marital, licensure status and proof of current military station in Utah prior to practicing. If you are practicing without meeting the exemption, you may be subject to civil and or criminal action(s).