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# State of Utah Department of Commerce

## Division of Occupational and Professional Licensing

FRANCINE A. GIANI  
Executive Director

MARK B. STEINAGEL  
Division Director

### MEMORANDUM

DATE: June 28, 2018

RE: Military Exemptions

FROM: Mark B. Steinagel, Director of the Division of Occupational and Professional Licensing

This letter is to verify that the Utah Legislature has authorized military personnel and their spouses to practice their profession in Utah with a valid license from any state or territory of the United States, under the circumstances described in statute.

The following is an excerpt from the applicable statute:

#### **58-1-307. Exemptions from licensure.**

- (1) Except as otherwise provided by statute or rule, the following individuals 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;
  - (j) 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. The Division recommends that practitioners be able to demonstrate marital status, active license in good standing, and current military station in Utah prior to practicing. Individuals who practice without qualifying for the exemption may be subject to civil and or criminal action(s).

MARK B. STEINAGEL

Director, Division of Occupational and Professional Licensing