

MEMORANDUM

TO: Kent Carlson and Michael Wishnie, Co-Chairs, Task Force to Study the Use of
MOS Specialty Training as a Substitute for State Licensing Requirements
FROM: Law Student Interns, Veterans Legal Services Clinic, Yale Law School
DATE: November 3, 2013
RE: Crediting Military Experience: Case Studies from New York and Maryland

This memo describes two state-level initiatives that might serve as useful case studies for the Task Force. Section I examines the Maryland Veterans' Full Employment Act of 2013, which the White House recently recognized as "the national standard" in state-level military credentialing legislation. Section II describes efforts to streamline credentialing in New York, where Governor Cuomo's "Experience Counts" program achieves many of the same aims through regulatory reform.

I. CASE STUDY A: The Maryland Veterans' Full Employment Act of 2013

Enacted earlier this year, the Maryland Veterans' Full Employment Act is designed to smooth the process by which veterans receive state licenses and academic credit for relevant military training and experience. Maryland's law also reduces the burden of relocation for military families by removing state licensure impediments for military spouses.¹

The legislature passed the Veterans' Full Employment Act in response to the federal USA4Military Families initiative, which identified license streamlining and spousal licensing as two of the most pressing issues facing military service members and their families.² Ultimately, the statute aims to produce full veteran employment by 2015, which it defines as a veteran unemployment rate of 3% or lower.³ Through Governor O'Malley's performance-management tool, *VetStar*, the Administration will track the state's progress toward this goal.⁴

To achieve its aims, the Maryland Veterans' Full Employment Act uses a combination of mandatory crediting, expedited licensing, data collection, and information dissemination. Under the Act, Maryland licensing boards are required to consider a veteran's relevant military experience when calculating her years of practice in an occupation.⁵ Maryland licensing boards must also credit any substantially equivalent military training and education.⁶ In addition, the Act requires state agencies to grant temporary, immediate licenses to applicants who otherwise meet the specified requirements so that veterans do not have to wait for full licensure to begin working.⁷ In terms of spousal licensing, the Maryland Act establishes a cross-state reciprocity program under which military spouses with existing out-of-state licenses can quickly receive Maryland licenses and join the labor market.⁸ The Veterans' Full Employment Act also requires each state agency to publish information about how its licensing process works for veterans on its website.⁹

Beyond these structural reforms, Maryland's law also specifically addresses health-sector licensing. The Veterans' Full Employment Act requires certain health occupation boards to assign advisors to military applicants. These advisors guide veterans through the licensing process and direct them to opportunities where they can build credentials should they not already possess all the requisite military experience for a particular license.¹⁰ In addition, the statute permits, but does not require, these health licensing boards to renew licenses that have lapsed as a direct result of a military deployment.¹¹

Finally, Maryland's statute provides for robust data collection. Pursuant to the new law, each state agency is required to submit periodic reports to the Governor in which it provides data including the number of veteran, active duty service member, and military spouse applicants for its licenses, the number of such applicants who were approved for licensing, and the number of applicants who were denied licenses. Where agencies have denied a license to a veteran or military spouse, the Act directs the agency to specify the reasons for denial.¹²

II. CASE STUDY B: New York's "Experience Counts" Campaign

The "Experience Counts" program presents a similar model for reform, in this case enacted through regulation and executive order rather than new legislation. In November 2011, New York Governor Andrew Cuomo initiated a series of reforms to ensure that state agencies recognize military experience when veterans transfer to the civilian workforce and higher education.

In the education sector, Governor Cuomo directed the State University of New York (SUNY) and the City University of New York (CUNY) to improve their procedures for awarding academic credit for military training. Under the Experience Counts program, each school now flags applications received from veterans and active duty service members. SUNY and CUNY also provide centralized guidance to students who are veterans in order to award the maximum amount of credit for their prior military experience and training.

The Experience Counts initiative also reforms licensing and occupational training procedures. Under the new program, the Department of Motor Vehicles (DMV) has agreed to waive licensing fees and road tests for New York Commercial Drivers Licenses (CDLs). As of January 2013, 250 CDLs had been issued under this expedited system. Governor Cuomo also directed the Department of Public Health (DPH) to allow military medic training to count toward certification for home health aide and nursing home aide licenses.¹³ Finally, the Experience Counts Campaign created a free, on-site training program through which veterans can become licensed armed security guards and connect with potential employers.¹⁴

In addition to implementing these changes, the Experience Counts program also expanded the State Council on Returning Veterans and their Families, an inter-agency group that assists the Governor with the efficient coordination of state services for veterans.¹⁵ That Council has asked State agencies to identify ways that New York can better recognize military skills and training in all of its licensing procedures. Specific licenses covered by the Council's campaign include: Emergency Medical Technicians, Armed and Unarmed Security Guards, Bus Drivers, Certified First Responders, Crane Operators, Home Health Aides and Nurse Aides, Licensed Radiological Technologists, Personal Care Providers, Tractor Trailer Operators, and Truck Drivers.¹⁶

REFERENCES & NOTES

¹ Serving Together, *Veterans Full Employment Act of 2013 Signed Into Maryland Law* (April 17, 2013), available at: <http://servingtogetherproject.org/veterans-full-employment-act-of-2013-signed-into-maryland-law/>.

² *Id.*

³ *Id.*

⁴ See Serving Together, *supra* note 1. The monitoring program can be viewed at: <https://data.maryland.gov/goals/veterans>.

⁵ Maryland Veterans Full Employment Act of 2013, S.B. 273, § 2.5-104 (2013). Full text available at: http://mgaleg.maryland.gov/2013RS/chapters_noln/Ch_154_sb0273T.pdf.

⁶ *Id.* at § 2.5-104.

⁷ *Id.* at § 2.5-104.

⁸ *Id.* at § 2.5-104.

⁹ *Id.* at § 2.5-107.

¹⁰ *Id.* at § 1-704.

¹¹ *Id.* at § 1-703.

¹² *Id.* at § 1-706.

¹³ Office of the Governor of New York, *Press Release: Governor Cuomo Launches “Experience Counts” Campaign to Help Veterans Qualify for Jobs upon their Return to New York* (last viewed Nov. 2, 2013), available at: www.governor.ny.gov/press/11102011ExperienceCountsCampaign.

¹⁴ New York State Department of Labor, *State Labor Department Announces New “Experience Counts” Initiative Grants Veterans Credit for their Military Experience* (July 2, 2013), available at: <http://labor.ny.gov/pressreleases/2013/july-2-2013.shtm>

¹⁵ Office of the Governor of New York, *supra* note 13.

¹⁶ *Id.*