INTERSTATE COMPACT LEGISLATION: TEMPORARY LICENSURE

In 2017 the Federal Trade Commission stated, “License portability restrictions often prevent otherwise qualified people from marketing their services across state lines or when they move to a new state. These types of restrictions are especially hard on military families, who often face the financial and administrative burdens of applying for a new license with each move across state lines.”

In 2018, several states introduced interstate compact legislation establishing temporary licensure to address the issue of mobility. An interstate compact is a multistate agreement, created through legislation, that “contractually” binds the participating states to agreed-upon and standardized regulatory guidelines and standards. These bills are supported by the federal administration, the Federal Trade Commission, and multiple governors. The 2018 interstate compact bills introduced in South Dakota, Arizona, and Missouri would allegedly address worker shortages by allowing members of licensed occupations from one state to temporarily practice in another state. These proposals allowed for most individuals an 18-month license (renewable) and a 24-month license for military spouses.

The landscape architecture profession is already a mobile profession, with more than 50% of license holders practicing in more than one state.

Key Elements of Landscape Architecture's Mobility Standards

- Landscape architecture is one of only 60 professions licensed in all 50 states and the District of Columbia.
- Landscape Architecture licensing laws have consistent licensing requirements.
  - All licensing jurisdictions readily accept an accredited LA degree, four years (or less) of experience, and passage of the Landscape Architect Registration Examination (L.A.R.E.) as qualification for licensure.
    - Ninety-two percent of LA licensees meet these standards (the others may have non-LA degrees such as architecture)
  - The Council of Landscape Architectural Registration Board’s Council Record serves as an Internet-based repository for credentials, allowing quick transfer of licensee information and records from one jurisdiction to another.

Key Elements of Concern for Temporary Licensure Legislation

- In the case of landscape architecture, an interstate compact for temporary licensure would create unnecessary administrative burdens.
  - The profession already has consistent licensure requirements and an existing efficient and effective method for granting reciprocity.
- If not enacted carefully, these laws could cause potential harm to public health, safety, and welfare due to dilution of professional standards to the least common state-to-state denominator.
  - Proposed laws don’t consider the complexities involved in conveying disciplinary actions from jurisdiction to jurisdiction.