



Recognition of Military Service and Experience in Occupational Licensing

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Wisconsin has a number of laws that require recognition of a person's military training and experience for the purpose of granting an occupational license. Veterans are also often entitled to a waiver or reduction of certain occupational licensing fees. In addition, state law provides a process for many military spouses living temporarily in Wisconsin to qualify for a reciprocal license.

CREDIT FOR MILITARY TRAINING AND EXPERIENCE

2011 Wisconsin Act 120 created a general standard, applicable to a wide range of occupational licenses, which requires that an applicant be given credit for relevant education, training, instruction, or other experience obtained in connection with his or her service in the U.S. armed forces, the state defense force, the national guard of any state, or any other reserve component of the U.S. armed forces.¹ Generally, if an applicant can demonstrate that his or her military instruction is "substantially equivalent" to the instruction that is required for the license, then that military instruction must be counted towards satisfying instruction requirements for the credential. The licensing authority determines on a case-by-case basis whether an applicant's experience is substantially equivalent and, if so, which licensing criteria the experience counts towards satisfying.

This standard applies broadly to all of the over 200 types of occupational licenses, certificates, permits, and registrations administered by the Department of Safety and Professional Services (DSPS). A full list of these licenses is available on DSPS's website at: <http://dsps.wi.gov>. Examples include accountants, real estate agents, nurses, engineers, social workers, psychologists, physicians, electricians, plumbers, and building inspectors.² Similarly, under 2011 Wisconsin Act 120, a person's substantially equivalent military education, training, or experience must also be recognized for the following additional credentials or purposes:

- Certification of Medicaid providers.
- Training in specified subjects such as use of an automated external defibrillator and sudden infant death syndrome for licensees, employees, and volunteers of certain facilities that provide care for children.
- Qualifications for public health nurses and public health officers.
- Instruction and competency evaluation for nurse aides.
- Training and testing for feeding assistants.
- Qualifications for training permits for and licensure of emergency medical technicians.
- Instruction requirements for first responders.
- Instruction requirements for poison control center staff.
- Instruction requirements for tattooists and body piercers.
- Certification requirements for lead hazard reduction and lead management activities, and approval of lead instructors.
- Certification requirements for asbestos abatement activities.
- Certification requirements for food sanitation managers.

- Certificate of food protection practices for restaurant operators and managers.
- Licenses, certifications, or permits for occupations including insurance agent and life settlement broker.
- Certification of public librarians.
- Approvals, certifications, and permits to persons performing chemical breath analysis.

For some professions, there may be additional requirements for recognition of military experience. For example, the Funeral Directors Examining Board is required to consider any relevant instruction obtained in connection with military service toward satisfying the continuing education requirements for funeral directors at the time of renewal. As described above, the statutes generally only require that military experience be recognized as part of an application for an initial license.³ As another example, recently enacted legislation authorizes the Accounting Examining Board to promulgate rules to provide for additional recognition of a person’s military training and service of a veteran towards the education hours required for licensure as a certified public accountant.⁴

VETERAN FEE WAIVER OR REDUCTION

Veterans may also be entitled to a waiver or reduction of the fees associated with an application for an initial license. These waivers or reductions are available only for the fees charged to obtain a license initially and are not available for renewal fees. To qualify, an applicant must be a Wisconsin resident and must also be a member of a reserve component of the U.S. armed forces or of the national guard, who served under honorable conditions for at least one year or was honorably discharged or generally discharged under honorable conditions. Eligibility is verified by the Department of Veterans Affairs.

A qualifying veteran is entitled to one fee waiver on one application for an initial license, if the license type is listed in s. 45.44 (1) (a) 1. to 16., Stats. That list includes all of the DSPS licenses as well as many other license types such as insurance licenses, licenses to practice law, and lobbying licenses.

A person who has already received a fee waiver is entitled to a 90% fee reduction on a subsequent initial application for a different type of license, if the license is issued under chs. 440 to 480, Stats. Those are the health and business licenses administered through DSPS. This might occur, for example, if a person changes careers or applies for a higher level license within the same career field.⁵

RECIPROCITY FOR MILITARY SPOUSES

State statutes require DSPS and the credentialing boards it houses to grant a reciprocal license to spouses of service members living in Wisconsin temporarily who are licensed in a different state. To qualify, an applicant must: (1) be the spouse of a member of the U.S. armed forces, a reserve unit of the U.S. armed forces, or the national guard of any state; (2) be temporarily residing in Wisconsin with his or her spouse; (3) pay a licensing fee; (4) hold a license in a different state that qualifies the applicant to perform the acts that are authorized under the license for which he or she is applying; and (5) meet any other requirements that may have been established by rule for the particular profession.

For the DSPS health and business licenses listed in chs. 440 to 480, Stats., the reciprocal license is generally valid for only 180 days but can be extended. The 180-day limit does not apply to the DSPS “trades” licenses issued under ch. 101 or 145, or s. 167.10 (6m), Stats. Those include, for example, plumbers, electricians, and dwelling contractors.⁶

¹ s. 111.32 (12g), Stats. (defining the term “military service,” which is used throughout 2011 Wisconsin Act 120).

² ss. 101.022 and 440.075, Stats.

³ s. FD 4.03 (11) Wis. Adm. Code.

⁴ s. 442.04 (6), Stats., enacted as part of 2017 Wisconsin Act 88.

⁵ s. 45.44, Stats. The fee waiver portion of the program is described on the Department of Veterans Affairs’ website at: <https://dva.wi.gov/Pages/educationEmployment/FeeWaiver.aspx>.

⁶ ss. 101.022 and 440.09, Stats.