



association of
claims professionals

STATE RECIPROCITY FOR LICENSED PROFESSIONALS

The Claims Licensing Advancement for Interstate Matters (CLAIM) Act

WHY THE CLAIM ACT IS NEEDED

Many other professions requiring a state license benefit from licensure reciprocity and waiver. These practices vary by state and profession, but reflect a broad recognition of the need for a uniform and coherent approach to licensure requirements regarding reciprocity and waiver. Claims adjusters are one of the few categories of professionals which lack uniform and reciprocal laws, enabling them to become licensed in other states following licensure in their home state. For this reason, we urge you to support state license reciprocity for professional claim adjusters.

LICENSED INSURANCE AGENT AND BROKERS

- To become licensed, Insurance Producers must take pre-licensing courses and pass an exam in their resident (home) state.
- The National Association of Insurance Commissioners (NAIC) encourages states to use the NAIC Uniform Producer Application. Some states request variations of this form to meet their state specific requirements.
- Insurance Producers licensed in their resident states are not required to take other pre-licensing course or exams. Most states allow license reciprocity for licensed Insurance Producers. Producers seeking to be licensed in states that are not reciprocal may obtain a license from the National Association of Registered Agents and Brokers (NARAB).
- The same regulators that license Insurance Claims Adjusters provide for uniform and reciprocal licensing of Insurance Producers across state borders. However, these regulators have failed to take the same approach to Claims Adjuster licensing.

LICENSED PHYSICIANS

- Physicians licensed in one state seeking to treat patients as licensed physicians in a second state may receive a license from the second state by completing one in-state and one out-of-state application for licensure, with all of the accompanying documentation and registration fees.^[1]
- A “consulting” exception grants a physician, unlicensed in a particular state, the ability to practice medicine in that state at the behest and in consultation with a referring physician. Consulting has been adopted by some states, and the scope of the consulting exception varies by state.

^[1] Many states also require physicians to pass the licensing exam of the second state if it has been more than 7 to 10 years since the applicant passed the exam. Further, a number of states have enacted legislation specifically addressing the issue of physician licensure and the practice of medicine across state borders. For a brief description of these states' legislation, please visit <http://www.ama-assn.org/ama/pub/about-ama/our-people/member-groups-sections/young-physicians-section/advocacy-resources/physician-licensure-an-update-trends.page>.

REGISTERED NURSES

- Registered nurses (RN) and licensed practical/vocational nurses (LPN/VN) may practice across state borders if they are registered in a “Nurse Licensure Compact (NLC)” state. A NLC state allows an RN and LPN/VN to have one multistate license in a primary state of residency and to practice in other compact states while subject to each state’s practice laws and discipline.^[2]
- Further, since the RN examination (NCLEX) became standardized nationally, all states practice reciprocity. As such, RNs or LPN/VNs who have a valid license and no disciplinary record in their state need only apply and pay a fee to be granted another license in a different state. This is the same approach provided for in the CLAIM Act.

EMERGENCY MEDICAL RESPONDERS AND EMERGENCY MEDICAL TECHNICIANS

- All states accept the certification of the state in which an emergency medical technician (EMT) is currently certified.
- To allow reciprocity, most states require a valid certification and course completion from the issuing state and training that meets or exceeds the training requirements for the state for which the EMT is seeking reciprocity.
- Most states will require a written exam if the EMT is not nationally registered (NREMT). Some states will also require a “skills” verification for more advanced levels.

LICENSED ATTORNEYS

- Most states allow a licensed attorney to apply for a license in another state without the state’s bar examination. The conditions applicable to license reciprocity requirements vary by state.
- An attorney with an out-of-state license may apply to participate in a consultative or advisory role in another state’s court through a pro hac vice admission. A state will generally require an application, a fee, and an in-state counsel to co-sponsor the out-of-state attorney in pending litigation.^[3]

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^[2] Currently, 24 states are NLC states, and six states have pending legislation to become NLC states (GA, NY, IL, NJ, MN, and MA). The NLC allows a nurse to practice both physically and electronically across state lines unless the nurse is under discipline or restriction.

^[3] For a state-by-state list of rules on pro hac vice admission, please visit http://www.americanbar.org/content/dam/aba/migrated/cpr/mjp/prohac_admin_rules.pdf.

