

## Work Without Walls: The Benefits of Universal Licensing Reciprocity

By Jarrett Skorup

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### Introduction

Michigan has been one of the slowest-growing states for decades. Despite recent attention to this issue, policymakers cannot immediately boost the state's population. But there's one reform that would help Michigan's population grow: universal licensing reciprocity.

Universal licensing reciprocity (sometimes called universal recognition) means the state would legally validate the occupational licenses earned by people in other states. People who move to Michigan with a valid license from another part of our country could immediately begin working or open a business. The state currently only allows this for some people who move to Michigan from other states and only in limited circumstances. There is no need to force people who earned licenses in other states to get licensed again before they can work in Michigan.

### ABOUT THE AUTHOR

**Jarrett Skorup** is the vice president for marketing and communications at the Mackinac Center. He has published numerous reports on occupational licensing laws in Michigan.

Twenty-six states have laws that automatically recognize some licenses from other states. Eight states passed this reform within the last few years, including Indiana and Ohio.<sup>1</sup> This legislation garnered broad bipartisan support in nearly every state.

Some laws in Michigan allow for reciprocity or automatic recognition. The state already allows universal reciprocity of occupational licenses for military veterans and their family members. Democrats and Republicans in Michigan have sponsored bills that would recognize the licenses and certifications of out-of-state workers for some occupations. The Growing Michigan Together Council created by Gov. Gretchen Whitmer recently called for this change.

Research published by the W.E. Upjohn Institute in Kalamazoo suggests that reciprocity laws boost interstate migration.<sup>2</sup> That is, people are more likely to move to states with more generous reciprocity laws than to states without them.

This policy brief explains how licensing reciprocity currently works in Michigan and makes the case for

allowing people to start working as soon as they move to the Great Lakes State.

## Licensing laws in Michigan

Occupational licensing laws require people to meet certain requirements before getting permission to work legally.<sup>3</sup> Common requirements include having a college degree or other educational credential or certification, completing training, passing tests and paying fees. Michigan licenses about 180 occupations and imposes a variety of business licensing requirements.<sup>4</sup> These laws reduce market competition, which increases prices for consumers. Licensing also costs the state jobs because fewer people are qualified to work legally. The state spends more than \$500 million annually to administer its licensing regime.

Licensing laws persist in part because they have built-in support. Educational institutions and training organizations, for instance, benefit financially from licensing requirements because people are required to enroll in their programs. Workers already licensed typically oppose lifting these requirements, viewing it as unfair if others are exempted from the hurdles they had to overcome. Licensed workers also benefit from the higher prices they can charge as a result of the suppressed competition.

Licensing laws are often justified on the grounds that they protect public health and safety by setting minimum standards for people doing these jobs. If these benefits outweighed the cost to consumers and the state's economy, licensing laws would be worth it. Research on these laws consistently shows, however, that licensing laws generally do not improve public health or safety.<sup>5</sup>

Licensing laws are also arbitrarily established.<sup>6</sup> Similar occupations that present similar risks to public health often have different licensing

requirements, with some occupations remaining unlicensed. The stringency of different licenses appears inconsistent, too. Some relatively safe jobs might require thousands of hours of training and years of education while other occupations that are seemingly riskier to public health can require significantly less training and education. This hodgepodge of licensing rules is inconsistently enforced.<sup>7</sup> Many licensing laws amount to little more than artificial and expensive barriers for people who want to work in Michigan.<sup>8</sup>

Some states regularly review and repeal occupational licensing laws that do not directly impact public health and safety. The Growing Michigan Together Council, established by Gov. Whitmer in 2023 via executive order, recommended Michigan follow these states' lead. The council's report asked that lawmakers "conduct a full review of professional licensing requirements to identify which can be maintained, improved, updated or eliminated."<sup>9</sup>

The council's report, aimed at producing ideas to increase the state's population, also called on lawmakers to "[c]reate a process to ensure licensed/credentialed professionals from outside the United States can have their relevant documentation translated and applied to Michigan's standards."<sup>10</sup> This is similar to licensing reciprocity.

## Reciprocity in Michigan

Some licensing laws in Michigan provide a level of reciprocity. These laws provide a means for people from other states to move to Michigan and transfer their occupational license automatically or in an expedited way. Some occupations are part of a multistate compact in which states agree to recognize the licenses of anyone living in the states that are part of the compact.

But many licensing rules in Michigan require people to go back to school, pass tests, pay extra fees or even start from scratch to get relicensed in Michigan and start working.

Here are examples from a selection of occupations that demonstrate the different types of reciprocity rules in the state. What someone must do to get licensed in Michigan when moving from another state can vary significantly.

### ◆ Pesticide Applicator

Michigan has reciprocal agreements with Indiana, Ohio, Wisconsin and Minnesota. A person must fill out an application and pay a fee.<sup>11</sup>

### ◆ Cosmetologist/Esthetician/Nail Technician

Michigan will recognize a license if it comes from a state that requires the same or more hours of training. If not, a person will need to take additional training and pass exams.<sup>12</sup> If a cosmetologist licensed in Florida, Massachusetts or New York moves to Michigan, for example, the state requires them to go back to school and gain hundreds of additional hours before being allowed to work legally.<sup>13</sup>

### ◆ Dentist

Michigan requires dentists moving from other states to submit transcripts, test scores, proof of certification in Basic Life Support or Advanced Cardiac Life Support, complete training in implicit

bias, human trafficking and controlled substances. In some cases, the applicant must submit college transcripts to qualify for a state license.<sup>14</sup>

### ◆ Real Estate

For real estate appraisers, state law provides universal licensing reciprocity of most licenses if moving from a state with requirements that are on par with or more stringent than Michigan's.<sup>15</sup> Appraisers must meet continuing education requirements.<sup>16</sup> But for real estate brokers and salespeople, Michigan "does not offer reciprocity with any other state."<sup>17</sup>

### ◆ School Librarian

Michigan's school librarian law is among the most stringent in the nation.<sup>18</sup> It requires a teaching degree and "Library Media" endorsement, which means a person needs a master's degree (usually in library science).<sup>19</sup> Librarians of public libraries who want to work in schools need to earn those degrees and pass the Michigan Test for Teacher Certification.<sup>20</sup> School librarians from other states are not typically required to have a master's degree, so transferring to Michigan is difficult and for most people means getting another degree and credential.

### ◆ Social Worker

Michigan permits social workers licensed in other states to become licensed in Michigan through an expedited process. If a person has been working for more than a decade in another state, obtaining a Michigan license is almost automatic. A person who has been licensed for fewer than 10 years must submit exam scores and have a supervisor verify that he or she has practiced for at least 4,000 hours.<sup>21</sup>

### ◆ Lawyer

The state automatically recognizes law licenses earned by attorneys from all 50 states, D.C. and U.S. territories, with two stipulations.<sup>22</sup> One is that a person licensed for less than three years has to submit bar exam scores. The other is that everyone must take an online training, which takes 12 hours to complete.<sup>23</sup>

### ◆ Physician

Michigan is a member of the Interstate Medical Licensure Compact and automatically recognizes licenses from about 35 other states.<sup>24</sup>

### ◆ Nurse

Michigan is one of only nine states not part of the Nurse Licensure Compact.<sup>25</sup> Gov. Whitmer vetoed a bill passed by the Legislature in 2020 to join the compact.<sup>26</sup> To transfer a license to Michigan, nurses from other states must have an active license, file official college transcripts and complete human trafficking and implicit bias training. Those who have been practicing as a nurse for fewer than five years and did not graduate from an accredited nursing program must meet additional requirements.<sup>27</sup>

### ◆ Skilled Trades

The state allows electricians, plumbers, HVAC workers, boiler operators and other skilled trade workers to get temporary licenses that last up to a year as soon as they move to Michigan.<sup>28</sup> This allows them to work while they apply for a full license. Skilled workers with a valid license from another state do not need to pass an exam to obtain a Michigan license if their original state's licensing requirements are similar to Michigan's.<sup>29</sup>

For a small group of Americans, Michigan already permits universal licensing reciprocity. In 2021, the state passed a law recognizing all licenses gained in other states or countries for active military members, veterans and their family members. This legislation also waived some of the fees required for licensing and certification.<sup>30</sup> These reforms mean military families can begin working immediately when moving to Michigan.

Since that state permits reciprocity for some licenses and for some groups of people, adopting a universal licensing reciprocity law would amount to simply applying this feature to all licenses in Michigan. There is little rationale for permitting automatic reciprocity for some licenses and some people but not others. If universal licensing reciprocity is good for military families, veterans and lawyers, why would it not be good for dentists, nurses and social workers?

## Universal Licensing Reciprocity in the U.S.

There are 26 states that universally recognize licenses obtained in other states. These states allow someone with a valid license in another state to automatically or quickly qualify for a license and begin working.

For more information, see:

**"Appendix A: Map of state licensing reciprocity laws."**

States take slightly different approaches to granting universal licensing reciprocity. Some require a license obtained in another state to have "substantial equivalency" with the requirements in the state's own licensing rules. Others require that the scope of practice — the range of work that a license permits someone to do — meet this requirement. A group of states allows a person's

previous work experience in another state to count towards qualifying for a license. Others require people to prove their residency before automatically recognizing their license from another state. Some states limit their licensing reciprocity laws to certain types of licenses.

### **Substantial equivalency requirements for training and education**

Laws with substantial equivalency requirements provide automatic reciprocity only if the other state's educational, training and testing mandates are similar to the state's own requirements. For example, Michigan requires cosmetologists to endure 1,500 hours of training, pass two tests, be at least 17 and have completed ninth grade. Iowa requires 2,100 hours of training, one test and having completed 12th grade, with no minimum age requirement. Massachusetts requires only 1,000 hours of training and sets no minimum age or school completion requirements.<sup>31</sup>

States with substantial equivalency requirements would mandate that a cosmetologist moving from Massachusetts to Michigan or Iowa go back to school for more training and pass additional testing.

### **Substantial equivalency requirement for scope of practice**

This requires that the range of tasks a license permits someone to do is similar between states. For example, nurse practitioners have different scopes of practice in different states. In Michigan, nurses are restricted to practicing only under the direct supervision of a physician. They cannot prescribe medicine and are limited in what they can diagnose. Nurses in Wisconsin are limited to certain tasks or activities but need only a collaborative agreement with a physician in order to work legally. Minnesota nurses are allowed to practice more broadly:

They can evaluate patients, order tests, prescribe medicine and operate their own health centers independently from a physician.<sup>32</sup>

### **Work experience recognition**

This feature of a universal licensing reciprocity law accepts the work experience of someone licensed in another state to count towards meeting the requirements for training or education. For example, Michigan has a massage therapist license that requires 500 hours of training and \$300 in fees. Ohio requires 750 hours of training and \$400 in fees. Indiana does not require massage therapists to be licensed.<sup>33</sup> Ohio has a universal licensing reciprocity law that recognizes previous work experience. That means if an experienced massage therapist moves from Indiana or Michigan to Ohio, the Buckeye State would count that person's work experience toward meeting the training requirements of Ohio's massage therapist license.

### **Residency requirement**

Some states require someone to prove residency in the state before they automatically recognize the person's license from another state. For example, if a real estate agent lives near the border of two states and wants to do business in both, some states will only provide automatic reciprocity if the agent establishes residency in the state.

While these 26 states all have a type of universal licensing reciprocity law, they differ in how the laws are implemented.<sup>34</sup> The important shared feature of these laws, however, is that they allow people licensed in other states to bypass or expedite the lengthy, expensive and, in some cases, duplicative process of qualifying for a state license.

## A Michigan case study

Even though Michigan has reciprocal licensing compacts with many other states, the regulations on the books can still be cumbersome and confusing, creating obstacles for people trying to move to Michigan to work.

Consider the case of Anne Davis. Anne is a psychotherapist with degrees from Central Michigan University and Colorado Christian University. She grew up in Michigan but moved to Colorado and worked for more than 20 years as a counselor for the homeless, mentally ill and others in a private practice.

She and her husband, also a counselor, moved back home to Michigan to be near family and to better care for their adult son with disabilities. Her husband's license — a professional counselor license — took just two months to transfer from Colorado. Anne's license, however, was different. The psychotherapist license she used to practice counseling in Colorado did not easily transfer to Michigan even though she had completed all the training and experience as a counselor.<sup>35</sup>

Anne spent 13 months trying to convince the state department that her master's degree in counseling was adequate to meet the requirements of getting a Michigan license. Eventually, the state agreed and approved her license without requiring Anne to do anything extra. But she lost more than a year of potential income while she waited for the state to issue her license.

If Michigan had an automatic universal licensing reciprocity law, Anne would have been able to start work almost immediately. Instead, Michigan's rules resulted in the state having one fewer counselor during those 13 months, for no good reason. It's

hard to see how Michigan's process accomplished anything other than unnecessarily delaying someone from earning an income and providing Michiganders with a needed service.

## Conclusion

Michigan should join the bipartisan collection of states that have universal licensing reciprocity laws. Considering the state's population trends, policymakers should be keen to make Michigan one of the easiest places in the country to move to and start working. The state should automatically grant a license to someone who was licensed in another state for a similar occupation. Michigan should recognize the work experience of those from other states and allow that to count toward automatically qualifying for a license here.

Michigan lawmakers and regulators should also be regularly reviewing the licenses on the books and reducing or removing the licensing requirements that do not clearly demonstrate that they improve public health and safety. This would make it easier for people in Michigan to work in hundreds of occupations and make it easier for people employed in other states to move here.<sup>36</sup>

Research shows that universal licensing reciprocity laws increase interstate migration — more people move to states with those laws than otherwise would. The law would increase economic growth and help alleviate worker shortages that plague certain occupations. The reduction in red tape would also lower the unemployment rate and reduce prices for consumers. These laws would expand access to services that would benefit all Michiganders, but especially those in sparsely populated or impoverished areas.



## Endnotes

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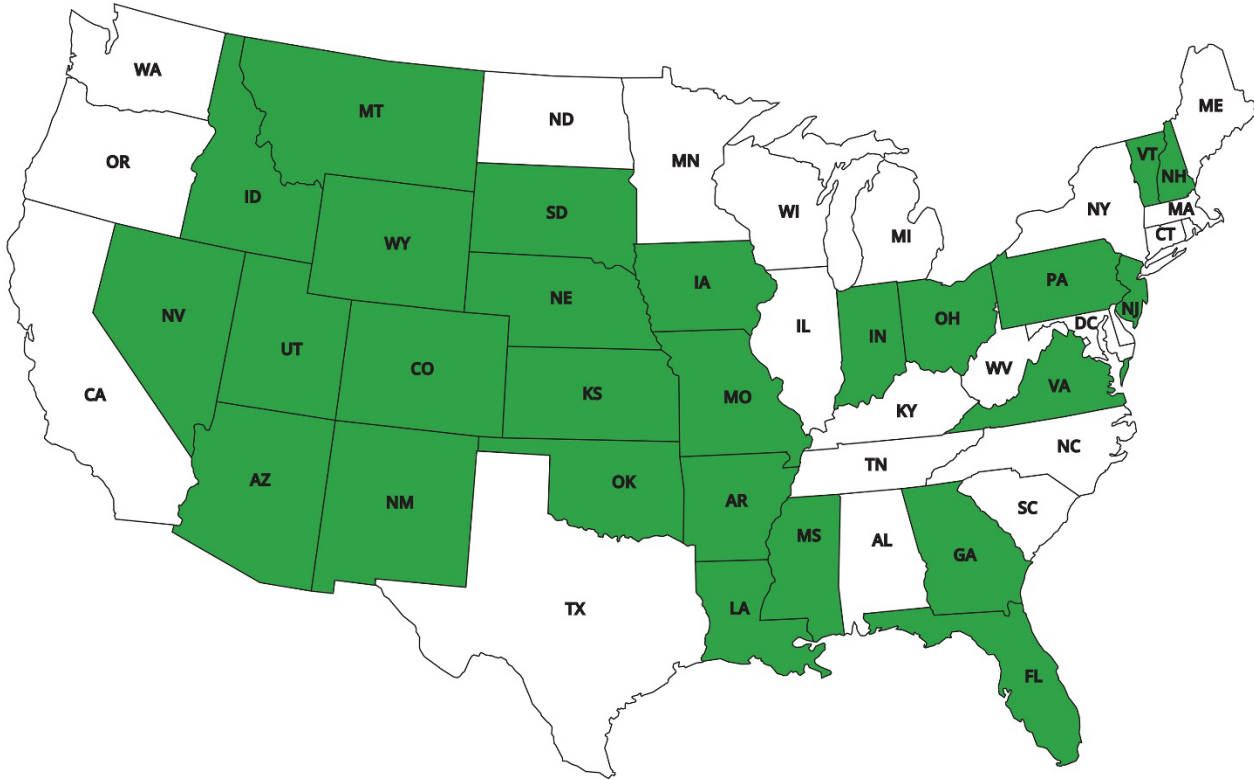
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- 29 MCL § 339.5223.
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# Appendix A: Map of state licensing reciprocity laws

## States With Universal Licensing Recognition or Reciprocity



Source: Knee Regulatory Research Center, West Virginia University, July 2024

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# Appendix B: Model bill language

*The following is model statutory language developed by the Institute for Justice and titled the "Universal Recognition of Occupational Licenses Act."*

A bill for an act  
relating to occupational regulation; adding provisions for occupational licenses or government certification by recognition for qualified applicants from other states; and proposing coding for new law in chapter 100.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF \_\_\_\_\_:

## **100.01 Definitions.**

Subdivision 1. The words defined in this section have the meanings given them for purposes of this chapter unless the context clearly requires otherwise.

Subd. 2. "Board" means a government agency, board, department or other government entity that regulates a lawful occupation and issues an occupational license or government certification to an individual.

Subd. 3. "Government certification" means a voluntary, government-granted and nontransferable recognition to an individual who meets personal qualifications related to a lawful occupation. Upon the government's initial and continuing approval, the individual may use "government certified" or "state certified" as a title. A non-certified individual also may perform the lawful occupation for compensation but may not use the title "government certified" or "state certified." In this chapter, the term "government certification" is not synonymous with "occupational license." It also is not intended to include credentials, such as those used for medical-board certification or held by a certified public accountant, that are prerequisites to working lawfully in an occupation.

Subd. 4. "Lawful occupation" means a course of conduct, pursuit or profession that includes the sale of goods or services that are not themselves illegal to sell irrespective of whether the individual selling them is subject to an occupational license.

Subd. 5. "Military" means the Armed Forces of the United States including the Air Force, Army, Coast Guard, Marine Corps, Navy, Space Force, National Guard, and all reserve components and auxiliaries. It also includes the military reserves and militia of any United States territory or state.

Subd. 6. "Occupational license" is a nontransferable authorization in law for an individual to perform exclusively a lawful occupation based on meeting personal qualifications. It includes a military occupational specialty. In an occupation for which a license is required, it is illegal for an individual who does not possess a valid occupational license to perform the occupation.

Subd. 7. "Other state" or "another state" means any territory, or state other than this state in the United States. It also means any branch or unit of the military.

Subd. 8. "Scope of practice" means the procedures, actions, processes and work that a person may perform under an occupational license or government certification issued in this state.

**100.02 Recognition of another occupational license or government certification.**

Subdivision 1. Notwithstanding any other law, the board shall issue an occupational license or government certification to a person upon application, if all the following apply:

- (1) The person holds a current and valid occupational license or government certification in another state in a lawful occupation with a similar scope of practice, as determined by the board in this state;
- (2) The person has held the occupational license or government certification in the other state for at least one year;
- (3) The board in the other state required the person pass an examination, or to meet education, training or experience standards;
- (4) The board in the other state holds the person in good standing;
- (5) The person does not have a disqualifying criminal record as determined by the board in this state under state law;
- (6) No board in another state revoked the person's occupational license or government certification because of negligence or intentional misconduct related to the person's work in the occupation;
- (7) The person did not surrender an occupational license or government certification because of negligence or intentional misconduct related to the person's work in the occupation in another state;
- (8) The person does not have a complaint, allegation or investigation pending before a board in another state which relates to unprofessional conduct or an alleged crime. If the person has a complaint, allegation or investigation pending, the board in this state shall not issue or deny an occupational license or government certification to the person until the complaint, allegation or investigation is resolved or the person otherwise meets the criteria for an occupational license or government certification in this state to the satisfaction of the board in this state; and education, training or experience standards. It is unimportant what exactly those details were.
- (9) The person pays all applicable fees in this state.

Subd. 2. If another state issued the person a government certification but this state requires an occupational license to work, the board in this state shall issue an occupational license to the person if the person otherwise satisfies subdivision 1.

### **100.03 Recognition of work experience.**

Notwithstanding any other law, the board shall issue an occupational license or government certification to a person upon application based on work experience in another state, if all the following apply:

- (1) The person worked in a state that does not use an occupational license or government certification to regulate a lawful occupation, but this state uses an occupational license or government certification to regulate a lawful occupation with a similar scope of practice, as determined by the board;
- (2) The person worked for at least three years in the lawful occupation; and
- (3) The person satisfies section 100.02 subdivision 1(5)-(9).

### **100.04 State law examination.**

A board may require a person to pass a jurisprudential examination specific to relevant state laws that regulate the occupation if an occupational license or government certification in this state requires a person to pass a jurisprudential examination specific to relevant state statutes and administrative rules that regulate the occupation.

### **100.05 Decision.**

The board will provide the person with a written decision regarding the application within 30 days after receiving a complete application.

### **100.06 Appeal.**

Subdivision 1. The person may appeal the board's decision to a court of general jurisdiction.

Subd. 2. The person may appeal the board's:

- (1) denial of an occupational license or government certification;
- (2) determination of the occupation;
- (3) determination of the similarity of the scope of practice of the occupational license or government certification issued; or
- (4) other determinations under this chapter.

### **100.07 State laws and jurisdiction.**

A person who obtains an occupational license or government certification pursuant to this chapter is subject to:

- (1) the laws regulating the occupation in this state; and
- (2) the jurisdiction of the board in this state.

**100.08 Exception.**

This chapter does not apply to an occupation regulated by the state supreme court.

**100.09 Limitations.**

Subdivision 1. Nothing in this chapter shall be construed to prohibit a person from applying for an occupational license or government certification under another statute or rule in state law.

Subd. 2. An occupational license or government certification issued pursuant to this chapter is valid only in this state. It does not make the person eligible to be work in another state under an interstate compact or reciprocity agreement unless otherwise provided in law.

Subd. 3. Nothing in this chapter shall be construed to prevent this state from entering into a licensing compact or reciprocity agreement with another state, foreign province or foreign country.

Subd. 4. Nothing in this chapter shall be construed to prevent this state from recognizing occupational credentials issued by a private certification organization, foreign province, foreign country, international organization or other entity.

Subd. 5. Nothing in this chapter shall be construed to require a private certification organization to grant or deny private certification to any individual.

**100.10 Cost.**

The board may charge a fee to the person to recoup its costs not to exceed \$100 for each application.

**100.11 Preemption.**

This chapter preempts laws by township, municipal, county and other governments in the state which regulate occupational licenses and government certification.

**100.12 Emergency powers.**

Subdivision 1. During a declared emergency, the governor may order the recognition of an occupational license from another state or foreign country as if the license is issued in this state.

Subd. 2. The governor may expand any license's scope of practice and may authorize any licensee to provide services in this state in person, telephonically or by other means for the duration of the emergency.

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