

2018 DoD Key Personnel and Readiness Issues
Status as of January 19, 2018

State policy to support identification and reporting of child abuse and neglect: State laws do not require child protective services to identify military families in cases of child abuse and neglect, or to report cases to the appropriate military authorities. Changes in state law can support both local government and the Military Services concurrently assisting in child abuse or neglect cases involving military families. **17 states have passed legislation, 3 states have legislation pending.**

National Guard employment protections during state-sponsored activation: State laws that cover Guard members during state-sponsored mobilizations impact employers within the state. States can modify their laws to protect rights of members of the National Guard during state-sponsored mobilizations who drill outside of the state in which they are employed. **34 states have passed legislation, 5 have legislation pending.**

Allow Service members to retain their earned priority for receiving Medicaid home and community care waivers: Because states frequently have long waiting lists, Service members face large gaps in service every time they transfer across state lines. Allowing Service members to enroll their exceptional family member in the State they designate as their legal residence (e.g. where they pay taxes, vote) can stabilize their request for support. **33 states have passed legislation, 2 have legislation pending.**

Allow private sector employers to offer hiring preference to veterans: Private sector employers attempting to offer hiring preferences to veterans may be risking claims of discrimination from applicants lacking military experience. States may establish laws or policies that protect private sector employers from discrimination claims when offering hiring preference to veterans. **37 states have passed legislation, 6 have legislation pending.**

Facilitate military spouse teacher certification: Military spouse teachers often encounter difficulty acquiring licensure in a state after a move. Providing flexibility in states accepting an existing standard certificate, establishing a temporary certificate, or expediting application and adjudication processes may alleviate the delays in garnering certification to teach in that particular state. **23 states have passed legislation, 5 have legislation pending.**

Facilitate Service members receiving academic credit for military education, training and experience: Separating Service members may be held back from finishing a degree. States can assist separating Service members to obtain academic credit by not having to repeat requirements completed while in the military. **36 states have passed legislation, 3 have legislation pending.**

Licensing Compacts recognizing separating Service members and military spouses: An increasing number of occupations are establishing compacts that facilitate portability of licenses and opportunities to work in member states with an existing license. Having states enact laws approving these compacts further expedites licensure in these occupations for separating Service members and military spouses. **15 states have passed PTLC legislation, 3 have legislation pending. 3 states have passed PsyPact legislation, 1 have legislation pending. 12 states have passed REPLICA legislation, 4**

have legislation pending. 27 states have passed ENLC legislation, 2 have legislation pending.

Implementation of supportive licensure laws: Most states have established laws that support licensure requirements for transitioning Service members and active duty military spouses; however, research has shown that some boards have not fulfilled the intent of these laws. State legislatures can assist by requesting occupational boards report on their efforts to implement these laws. **1 State has passed legislation, 0 have legislation pending.**

Increase protection under state Service members Civilian Relief Act: Many Service members find difficulty terminating or suspending certain service contracts when transitioning from one duty location to another, when mobilized or when deployed. Certain provisions could be enacted eliminating or reducing the penalties associated with termination of service on short notice. **7 states have passed legislation, 5 have legislation pending.**

Pro-bono legal representation for military families: Military families have access to legal assistance attorneys for advice and help with important documents, but they must generally obtain their own counsel to represent them in court. State governments can assist by organizing pro-bono programs that can connect qualified attorneys with Service members and their families in need. **9 states have passed legislation, 0 have legislation pending.**

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