

Emerging Policy Issues Affecting Professional Certification

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#StrongEconomies

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PROFESSIONAL
CERTIFICATION
COALITION

About the Professional Certification Coalition (PCC)

PROFESSIONAL CERTIFICATION COALITION: 101



100+ Member Organizations



50+ Industries & Professions



Legislative & Regulatory Analysis



Federal & State Advocacy

Private Professional Certification



Key Elements

- Voluntary
- Granted by non-governmental organizations
- Reflect established standards defined by subject matter experts
- Credentials require establishing necessary qualifications and adhering to codes of conduct



Key Benefits

- Promotes competition and informed choice
- Enables the public to distinguish between qualified and unqualified professionals
- Prospective professionals can identify necessary skills and demonstrate mastery

Certifications and Licensure Promote Opportunity

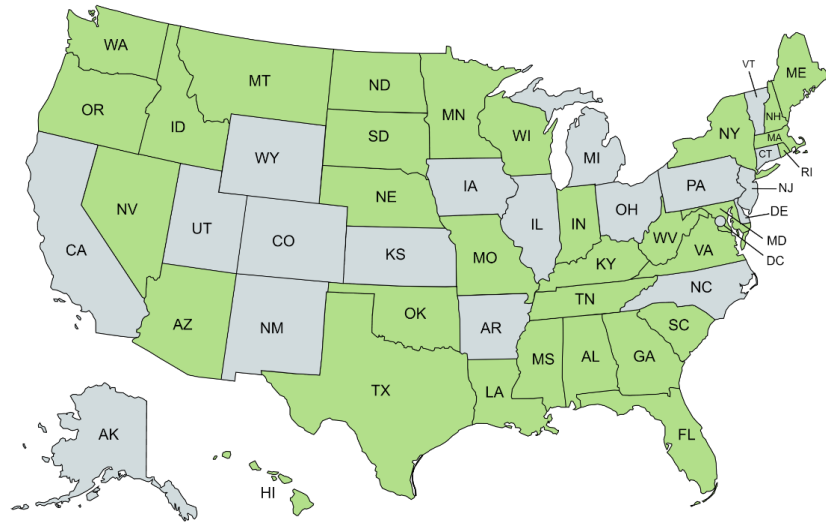


According to a 2017 [Working Paper](#) from the Human Capital and Economic Opportunity Global Working Group of the University of Chicago, both certification and occupational licensure reduce the racial wage gap among men by 43% and the gender wage gap between women and white men by 36%-40%.

PCC State Legislative and Regulatory Monitoring



132 bills in 46 states



Key Policy Areas for PCC Engagement

- Overarching PCC Principles
- Expansion of universal licensing laws
- Ex-offender reentry legislation
- “Clean Slate” legislation
- Viewpoint-specific legislation



PCC Principles: Occupational Licensing Reform

- Ensure **balanced standards** for determining whether an occupational licensing regime for a certain field should be renewed
- The public expects licensure laws to set a higher bar than merely protecting against gross negligence and injury – **competency standards established by subject matter experts protect the public.**

Universal Licensure Expansion

- Initially: specific interstate agreements or populations with special circumstances (e.g., military spouses, COVID-19)
- Recently, expansion to work experience or credential-based alternative pathways for licensure for **unlicensed** out-of-state individuals



Ex-Offender Reentry Legislation

- Challenge: achieve the right balance between opportunity for ex-offenders and protecting the public
- Reflects distrust of licensing agencies' subjective decisions by barring consideration of certain convictions



Ex-Offender Legislation: PCC Common Amendments

- Amendments seek to allow licensing boards to consider convictions that pose a “threat to public safety, **health, or welfare.**”
- Amendments clarify that the bill does not apply to private certification organizations.
- Amendments seek to allow licensing agencies to consider if ex-offenders have pending charges

“Clean Slate” Legislation Alternatives

- Completion of sentence, not date of conviction, starts clock for automatic sealing based on passage of time.
- Delay automatic sealing if pending charges.
- Broaden categories of offenses excluded from automatic erasure.
- Permit licensing agencies to consider sealed records of offenses that would violate licensee conduct standards

Viewpoint Specific Legislation

- Bills would restrict licensing boards and certification organizations from taking disciplinary action based on certain conduct that violates the profession's values
- Examples: spreading misinformation, voicing support for hate speech/groups, prescribing discredited COVID-19 treatments
- Typically aimed at conduct codes that reflect more progressive positions

Viewpoint Restrictions

- **Oppose** content and viewpoint-based restrictions on decisions and business contracts of wholly private organizations on constitutional grounds
- *Kenney v. Am. Board of Internal Medicine*: a certification organization “has the right to control who it is certifying and what standards and requirements are necessary.”



Questions?

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