



Summary of Professional Certification Coalition Strategy Call

August 15, 2018

I. Introduction

- a. ASAE and ICE serving as Steering Committee members of PCC
- b. Pillsbury engaged to manage PCC operations and to provide legal counseling and to help craft political/policy strategy
- c. 50+ members signed up as of Aug. 14; new members joining at a rapid pace. Continued outreach needed to potential members. PCC's effectiveness depends on building a broad membership.

II. Ohio Senate Bill 255

- a. Overview of areas of concern about current version of the bill; the Ohio House could act on the bill as soon as its session resumes on September 19th.
- b. PCC to develop model letter for coalition members that such members can customize and send to relevant state legislators
- c. Members also encouraged to utilize local chapters/affiliates with preexisting relationship with legislators to carry PCC message
- d. PCC will also send its own letter, along with a proposed markup of the bill.
- e. PCC will refrain from hiring local lobbyists until we determine whether we can achieve our objectives in the course of outreach by the PCC as an organization and by our members.
 - i. However, PCC has lobbyists at its disposal, as necessary.
 - ii. Further discussion regarding strategy over the coming weeks and on the next member strategy call in early September.

III. PCC Phase 1 Scope of Work

- a. Continued monitoring of legislative developments, both federal and state. PCC's monitoring service identifies bills once filed; members with early information about proposals to introduce bills touching on professional certification should alert PCC.

b. Development of White Paper

- i. PCC is working on a white paper that articulates the Coalition's views on certification and its importance to consumers, the public, employers, credential holders, and the certification community.
 1. The white paper will address and distinguish between voluntary certification and certification required as a condition of state licensure.
 2. The white paper will articulate policy considerations behind both voluntary certification and, for certain professionals, licensure requirements for certification, and will cite data and studies in support of its positions.

c. Dialogue with Stakeholders

- i. PCC will reach out to stakeholders who have been active in promoting bills that affect professional certification; PCC will share the white paper and seek to find common cause, where possible.
- ii. Goal of outreach is to educate stakeholder groups about the value and nuances of professional certification so that future legislation is well-informed and would not have a detrimental impact on certifications and other professional credentials.
- iii. Outreach will be directed to organizations/agencies on all sides of the aisle, including libertarian-leaning organizations opposing increased occupational licensure requirements, liberal-leaning organizations that are concerned about barriers to entry into professions, and nonpartisan organizations and government agencies that are interested in the issue.
 1. PCC to develop target outreach list to share with coalition members.
 2. Coalition members are invited to offer feedback on the list and to inform PCC regarding any preexisting relationships they have with any targeted organizations.

IV. Questions from members

- a. *Has PCC made plans to meet with White House officials and other stakeholder groups?*
 - i. PCC will engage in outreach to a number of stakeholder groups, such as ALEC, Americans for Prosperity, and perhaps the White House itself after the completion of the white paper.

- ii. We appreciate Coalition member feedback on our target list of stakeholder organizations.
- b. *Does PCC have a timeframe for the completion of the White Paper?*
- i. It will be completed this month, with plans to deploy it and engage in outreach in September. We hope to have an even larger membership base by September.
- c. *When will PCC start engaging legislatures?*
- i. Most legislatures (other than a few year-round legislatures) are not currently in session, but PCC is actively monitoring state legislative action, stakeholder group public statements related to certification (including model bill language), and prefiling of bills.
 - ii. Coalition members are encouraged to leverage their on-the-ground resources (e.g. local chapters/affiliates) to inform PCC about any relevant legislative activity, since our legislative monitoring services tend to only pick up bills after they have been introduced.
- d. *Will PCC engage certification-friendly legislatures?*
- i. Yes. PCC has learned that the sponsors of problematic bills often misunderstand the impact of the way the bill is drafted or overlook the introduction of certification-related language into complex bills; certification-friendly legislatures may be receptive of our mission yet unaware of the problem at hand.
- e. *Can PCC obtain, and make accessible, a copy of the testimony offered by Americans for Prosperity in support of Ohio SB 255?*
- i. We will attempt to obtain this testimony if possible. If it is available, we will make it accessible to members on the PCC website.
- f. *What can be done to fix the Missouri bills signed into law earlier this year?*
- i. The two Missouri bills that were signed into law were hastily cobbled together and reflect a lack of understanding about certification.
 - ii. We will work to for legislation to amend those laws in the next legislative session and have received signals from the bill sponsors that the possibility for such changes is realistic.

- g. *Would it be possible to be proactive, rather than simply reactive, to protect certification programs?*
- i. In the course of preparing proposed revisions to certification-related legislation, we have drafted protective language that could be used in many future efforts, especially when model legislation put forward by ALEC and other stakeholders is the basis for a bill that has been introduced.
 - ii. We are also monitoring legislative and regulatory activities at the state and federal levels that would be beneficial to the certification community, such as a federal bill that would allow 529 accounts to fund certification expenses. We would appreciate the coalition's guidance on what proactive policy goals they may have, apart from "playing defense" on bills that have the effect (intentional or not) of undermining certification.
- h. *The Right to Earn a Living Act model legislation put forward by ALEC outlines a ranking of regulations that range from least restrictive to most restrictive. How will the PCC address this?*
- i. We are well aware of this list, which has been incorporated into numerous bills at the state level. Unfortunately, the bills put forward largely prioritize market competition and relegate private certification to the "wrong side" of the proposed state policy priorities with respect to occupational licensure.
 - ii. In the midst of our outreach to ALEC and others, we will attempt to raise awareness about the benefits of private certification and to demonstrate that certification is not necessarily contrary to the goal of ensuring free markets and competition.
- i. *Are there any other states that have relevant active legislation?*
- i. Other than the bills we have identified in the monitoring reports on the PCC website, we are not aware of other bills affecting certification that are under active consideration by legislators. The PCC will update the monitoring reports to reflect developments with any active legislation on the PCC website. As state legislatures begin to accept pre-filing of legislation, we expect to learn about the introduction of certification-related bills in the coming weeks.
- j. *Is there a timeframe for future calls?*
- i. The Steering Committee will be meeting to set a time for the next member call. We expect calls to become more frequent as legislative sessions approach; we will keep members apprised of future conference calls and provide sufficient notice in advance of such calls.

V. Media/Public Relations

- a. Coalition members and the PCC plan to publicize/promote the Coalition to targeted media organizations over the coming days to aid in recruitment efforts.
- b. If any coalition members wish to remain anonymous as the Coalition speaks to the media about the PCC and its mission, please email us to communicate this preference, and we will honor it.
- c. Coalition members are also encouraged to conduct their own public relations outreach regarding joining the PCC as they see fit.