



PROFESSIONAL
CERTIFICATION
COALITION

March 20, 2019

Senator Cory McCray
315 House Office Building
6 Bladen Street
Annapolis, MD 21401
cory.mccray@house.state.md.us

Re: Maryland S.B. 974

Dear Senator McCray:

The Professional Certification Coalition (PCC) writes to express concerns about the potential effects of Maryland S.B. 974, relating to occupational licensing reform. In its current form, S.B. 974 could be interpreted as restricting or invalidating licensure regulations that condition licensure on current private certification. Given the importance to the public of the assurances of relevant qualifications and meeting established standards that private certifications confer, we respectfully request that you modify the bill to avoid these impacts.

The PCC is a nonprofit association founded last year to address legislative initiatives that affect professional certification programs and those who hold private certification credentials. The PCC currently has well over 100 members, including non-governmental professional certification organizations, professional societies and service providers. The PCC's members reflect a full spectrum of professions, including health care professionals, professional and civil engineers, human resources managers, financial professionals, and information technology professionals, among many others. The PCC advances the best interests of those who use or rely on professional certification—such as employers, reimbursers, and the general public—as well as of individual professionals themselves who achieve professional certification status, including many residents of Maryland. Our founding organizations – the American Society of Association Executives (the leading organization for association management) and the Institute for Credentialing Excellence (the leading developer of accreditation standards for professional certification programs) – serve as the Steering Committee for the PCC.

S.B. 974 advances the important goal of reducing recidivism by making it easier for an ex-offenders to earn a living. We believe this is a worthy objective, and we are supportive of this important next step in national efforts to reform the criminal justice system and to ensure pathways to opportunity for ex-offenders. The bill intrudes, however, on the role of private certification organizations in assessing what

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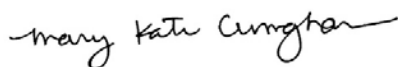
profession-specific certification requirements, both substantive and conduct-related, are necessary to protect the public and to qualify for the organization's credentials. It also undermines current licensure requirements that build on those certifications.

The bill would add a new Section 1-209(C)(2) that would prohibit a licensing board from denying a license to any ex-offender if at least five years have elapsed since the individual's conviction for a non-violent crime, unless the agency first undertakes a specific prescribed evaluation process. The ethics codes of some private certification programs call for revocation or denial of certification due to certain non-violent criminal convictions; for example, violation of prescribing laws typically leads to loss of certification for healthcare professionals, and convictions for embezzlement or fraud typically lead to loss of certification for financial professionals. Despite this, Section 1-209(C)(2) would prevent a licensing board from enforcing a requirement for licensed individuals to hold current certifications issued by private certification bodies, if a prior conviction is the basis for the loss of certification and more than five years have elapsed. To avoid this outcome, we recommend amending the bill to add a new Section 1-209(C)(3), as follows:

“Nothing in this section shall be construed to require a private certification organization to grant or deny private certification to any individual, nor alter any requirement in a licensure statute or regulation for an individual to hold current private certification as a condition of licensure or renewal of licensure.”

Thank you for your consideration of this amendment. If you have any questions regarding this letter, please feel free to reach out to us using the contact information identified below.

Sincerely,



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