



PROFESSIONAL  
CERTIFICATION  
COALITION

March 8, 2019

The Honorable John Polk  
Senator  
Mississippi State Senate  
P.O. Box 1018  
Jackson, MS 39215

**Re: Mississippi S.B. 2781**

Dear Senator Polk:

The Professional Certification Coalition (PCC) writes to share our views regarding Mississippi S.B. 2781, the “Mississippi Fresh Start Act,” which passed the Mississippi State Senate and is now being considered by the House of Representatives. In its current form, S.B. 2781 could be misinterpreted to restrict private certification organizations’ enforcement of their ethics codes or eligibility requirements. In addition, it could be interpreted as restricting or invalidating licensure regulations that condition licensure on current private certification. Given how important it is to the public that professionals have the relevant qualifications and meet the established standards that private certifications confer, we respectfully request that you modify the bill to avoid these potential 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 Mississippi. 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.

March 8, 2019

Page 2

S.B. 2781 advances the important goal of reducing recidivism by making it easier for an ex-offender to earn a living in certain occupations. 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.

At the same time, we believe that there is no substitute for the subject matter expertise that serves as the foundation for developing professional certifications, whether those credentials are wholly voluntary or are a recognized condition of holding an occupational license. In order to avoid interpretation of S.B. 2781's provisions as interfering with the rights of private certification organizations to establish and enforce their own ethics codes, the PCC proposes amending the definition of "Licensing Authority" in §1(2)(c). Private certification organizations are in the best position to assess what profession-specific certification requirements, both substantive and conduct-related, are necessary to protect the public and to qualify for the organization's credentials.

The PCC encourages the Mississippi Legislature to amend § 1(2)(c) to read as follows:

(c) "Licensing authority" shall mean an agency, examining board, credentialing board, or other office with the authority to impose occupational fees or licensing requirements on any profession, **provided however, this term does not include any private non-governmental organization.**

Further, some licensure regulations require licensed professionals to hold and maintain current certifications issued by private certification bodies. The PCC believes it is important to clarify that S.B. 2781 is not intended to remove certification requirements from practice acts that require licensed professionals to earn and maintain current certifications issued by private certification bodies. We therefore recommend the inclusion of a new § 1(6) to address both of the concerns the PCC has identified, as follows:

(6) Private certification requirement for licensure. 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.

The PCC applauds Mississippi for advancing important criminal justice reforms through S.B. 2781. We respectfully request, however, that you and your colleagues in


March 8, 2019

Page 3

the legislature amend the bill as we have requested above to avoid intruding on the subject matter expertise of private certification organizations.

Thank you for your consideration of these amendments. 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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