



PROFESSIONAL  
CERTIFICATION  
COALITION

May 28, 2019

Rep. Stanley Saylor  
Chair, House Appropriations Committee  
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Sen. Patrick Browne  
Chair, Senate Appropriations Committee  
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**Re: Professional Certification Coalition position on occupational licensure bills relating to consideration of criminal conviction history**

Dear Senator Browne and Representative Saylor:

The Professional Certification Coalition (PCC) writes to express its views regarding occupational licensure reform measures that may be adopted as part of the budget legislation that the Pennsylvania Senate and House Appropriations Committees are considering. As reflected in the enclosed letter that the PCC has previously sent to Rep. Jim Cox, the PCC and its members have significant concerns about H.B. 811, which, as currently drafted, would inappropriately interfere with the right of private credentialing organizations to adopt and enforce ethics codes and could unconstitutionally deny Pennsylvania residents the right to use professional titles they have lawfully earned. The PCC is also concerned that H.B. 811, in its present form, could be interpreted as restricting or invalidating licensure regulations that condition licensure on current private certification. By contrast, H.B. 1477 and its companion bill, S.B. 637, promote expanded licensure opportunities for ex-offenders (a primary purpose of H.B. 811), but without negative impacts on private certification organizations and on Pennsylvania residents who have earned private certification credentials. For these reasons, **if the Pennsylvania legislature seeks to enact occupational licensure reform addressing consideration of criminal conviction histories, we urge the legislature to look to H.B. 1477 and S.B. 637 as models for such legislation**, rather than the current version of H.B. 811, with which the PCC has concerns.

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 organizational 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, professional and civil engineering, human resources, financial services, and information technology, among many others. The PCC advances the best interests of those who use or rely on professional certification—such as employers, reimbursors, and the general public—as well as of individual professionals themselves who achieve professional certification status, including many residents of Pennsylvania. 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.

The PCC does not oppose occupational reform efforts or expansion of opportunities for ex-offenders. Such legislation, however, should respect the long-recognized autonomy of private certification organizations and the right of such private organizations to establish profession-specific conduct codes. It is also important that legislation not undermine licensure laws that make private certification a condition to licensure, as is common in the healthcare, engineering, financial services, and safety-related fields. For these professions, licensure agencies have recognized that the *content* of the standards is best established by the non-governmental professional certification program, given their profession-specific subject matter expertise, but *enforcement* of the standards is more effectively done by the licensing agency. Finally, it is critical that such legislation be drafted with an understanding of the distinctions between governmental licensure and private credentialing or certification, and that any title restrictions not intrude on the constitutionally protected rights of individuals to use titles that they have legitimately earned. We believe that H.B. 1477 and S.B. 637 are consistent with these principles; in its present form, H.B. 811 is not.

Thank you for your consideration of the PCC's perspective on these issues. 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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