



PROFESSIONAL  
CERTIFICATION  
COALITION

February 16, 2021

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**Re: Arizona H.B. 2319**

Dear Rep. Toma:

The Professional Certification Coalition (PCC) writes regarding the potential harmful effects of H.B. 2319. In its current form, H.B. 2319 could be misinterpreted to restrict private certification organizations' enforcement of their ethics codes or eligibility requirements or to override 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, the bill should be modified to avoid these potential impacts. We also suggest that the bill could benefit from amendments designed to ensure that licensing agencies consider information relevant to the protection of the public.

The PCC is a nonprofit association formed to address legislative initiatives that affect professional certification programs, those who hold private certification credentials, and the many constituencies that rely on professional certification. The PCC's organizational members include non-governmental professional certification organizations, professional societies, and service providers. The PCC's members reflect a wide spectrum of professions, including health care, professional and civil engineering, financial services, and information technology, among many others. 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) – govern the PCC.

H.B. 2319 advances the important goal of reducing recidivism by making it easier for an ex-offender to earn a living. We believe this is a worthy objective, and we support this important next step in national efforts to reform the criminal justice system and to ensure pathways to opportunity for ex-offenders. But licensing agencies must not be blocked from enforcing licensure qualifications requirements in a way that treats applicants even-handedly, regardless of

whether the applicant has a criminal conviction history. We therefore request that the bill be amended to clarify that H.B. 2319 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 also suggest amendments designed to balance expanded opportunities for ex-offenders with protections for the public.

In its current form, H.B. 2319's overbroad scope risks endangering the health and welfare of Arizona consumers. The bill would prohibit denying a license to any individual convicted of *any* drug crime: ranging from the minor (e.g., possession of marijuana for personal use) to the major (running a meth distribution ring) and to the safety-related (a conviction for opioid use that results from an active substance abuse addiction in a licensed profession in which on-the-job impairment would be dangerous).

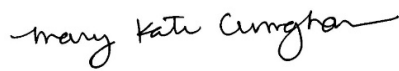
Therefore, we recommend the inclusion of the following amendments to address these concerns:

- Change “Notwithstanding any other law, an agency may not deny to an otherwise qualified applicant who has been convicted of an offense that involves a violation of title 13, chapter 34 or 34.1 or an offense committed in another jurisdiction that has the same elements as an offense listed in title 13, chapter 34 or 34.1 either of the following” to “**A qualified applicant convicted** of an offense that involves a violation of title 13, chapter 34 or 34.1 or an offense committed in another jurisdiction that has the same elements as an offense listed in title 13, chapter 34 or 34.1 **may not be disqualified by an agency from the following solely on the basis of the conviction if (i) the individual has completed all sentences for the conviction, (ii) the individual has not reoffended since the conviction, (iii) the individual has no pending charges, (iv) if the conviction was related to substance abuse, the individual has provided evidence establishing rehabilitation and the ability to practice the profession safely and without substance abuse, and (v) the offense does not relate to the practice of the occupation or pose a danger to members of the public the individual would encounter in the practice of the occupation.**”
- Add the provision: “**nothing in the chapter 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 Arizona for advancing important criminal justice reforms through H.B. 2319. We respectfully request, however, that you and your colleagues in the legislature amend the bill as we have requested above to avoid intruding on the right of private certification organizations to define and enforce their own eligibility standards and to ensure that licensure decisions are made with appropriate protections for the public.

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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Current Members of the PCC

ABRET Neurodiagnostic  
Credentialing &  
Accreditation (ABRET)

ABSA International: the  
Association for Biosafety and  
Biosecurity (ABSA)

Academy of Nutrition and  
Dietetics (AND)

Academy for Certification of  
Vision Rehabilitation &  
Education Professionals  
(ACVREP)

Alliance of Hazardous  
Materials Professionals

American Association of  
Post-Acute Care Nurses  
(AAPACN)

American Association of  
Critical-Care Nurses (AACN)

American Association of  
Neuromuscular &  
Electrodiagnostic Medicine  
(AANEM)

American Association of  
Professional Landmen

American Board for  
Certification in Orthotics,  
Prosthetics and Pedorthics  
(ABCOP)

American Board of  
Certification for  
Gastroenterology Nurses  
(ABCGN)

American Board of  
Neuroscience Nursing  
(ABNN)

American Board of Post-  
Acute and Long-Term Care  
Medicine (ABPLM)

American Board of Foot and  
Ankle Surgery (ABFAS)

American Board of Wound  
Management (ABWM)

American Industrial Hygiene  
Association (AIHA)

American Medical  
Certification Association  
(AMCA)

American Nurses  
Credentialing Center  
(ANCC)

American Payroll  
Association (APA)

American Road &  
Transportation Builders  
Association Foundation  
(ARTBA)

American Society of  
Association Executives  
(ASAE)

American Society of Civil  
Engineers (ASCE)

American Speech-Language-  
Hearing Association (ASHA)

American Traffic Safety  
Services Association  
(ATSSA)

American Translators  
Association (ATA)

American Veterinary Medical Association (AVMA)	Certification Council for Professional Dog Trainers	Events Industry Council (EIC)
APICS (formerly the American Production and Inventory Control Society)	Certified Financial Planner Board of Standards (CFP)	Financial Planning Association (FPA)
Association for Financial Counseling & Planning Education (AFCPE)	Certified Fund Raising Executive International (CFRE)	Hearth, Patio, & Barbecue Education Foundation
Association for Financial Professionals (AFP)	Commercial Real Estate Certification Institute	Heuristic Solutions
Association of Surgical Technologists (AST)	Commission for Case Manager Certification (CCMC)	Hospice and Palliative Credentialing Center (HPCC)
Behavior Analyst Certification Board (BACB)	Commission on Nurse Certification (CNC)	Institute for Credentialing Excellence (ICE)
Building Industry Consulting Service International (BICSI)	CompTIA	Institute of Certified Management Accountants (ICMA)
Board of Certification/Accreditation (BOC)	Community Association Institute (CAI)	Institute of Hazardous Materials Management (IHMM)
Board of Certified Safety Professionals (BCSP)	Construction Management Association of America (CMAA)	Institute of Internal Auditors (IIA)
Board of Pharmacy Specialties (BPS)	Council of Engineering and Scientific Specialty Boards (CESB)	Inteleos (includes the American Registry for Diagnostic Medical Sonography (ARDMS) and the Alliance for Physician Certification & Advancement (APCA))
Building Commissioning Certification Board (BCCB)	Dental Assisting National Board (DANB)	Irrigation Association
CCIM Institute (issues the Certified Commercial Investment Member designation)	Design-Build Institute of America (DBIA)	International Association of Healthcare Central Service Materiel Management (IAHCSMM)
CFA Institute	Diving Equipment and Marketing Association (DEMA)	International Association of Lighting Designers (IALD)
Certification Board for Music Therapists (CBMT)	Entertainment Services and Technology Association (ESTA)	International Certification & Reciprocity Consortium (IC&RC)
Certification Board of Infection Control and Epidemiology (CBIC)	ETA International (ETA)	

International Coach Federation (ICF)	National Board of Certification and Recertification for Nurse Anesthetists (NBCRNA)	National Roofing Contractors Association (NRCA)
International Foundation for Retirement Education (InFRE)	National Board for Certification in Hearing Instrument Sciences (NBC-HIS)	National Society of Professional Engineers (NSPE)
International Society of Automation (ISA)	National Kitchen and Bath Association (NKBA)	Nephrology Nursing Certification Commission
Institute of Real Estate Management (IREM)	National Board of Certification in Occupational Therapy (NBCOT)	Oncology Nursing Certification Corporation
International Information System Security Certification Consortium (ISC <sup>2</sup> )	National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM)	Professional Association of Therapeutic Horsemanship International (PATH)
IT Certification Council (ITCC)	National Certification Board for Diabetes Educators (NCBDE)	Pediatric Nursing Certification Board (PNCB)
Laborers' International Union of North America Training & Education Fund (LIUNA)	National Certification Corporation (NCC)	Pharmacy Technician Certification Board (PTCB)
Medical-Surgical Nursing Certification Board (MSNCB)	National Commission on Certification of Physician Assistants (NCCPA)	PSI Services
National Association of Legal Assistants, Inc. (NALA)	National Commission for Health Education Credentialing	Pearson Vue
National Association of Insurance and Financial Advisors (NAIFA)	National Council on Family Relations (NCFR)	QualityPro
National Association of Personal Financial Advisors (NAPFA)	National Recreation and Park Association (NRPA)	School Nutrition Association (SNA)
National Athletic Trainers' Association Board of Certification, Inc. (NATA)	National Restaurant Association (NRA)	SeaCrest Consulting