



PROFESSIONAL  
CERTIFICATION  
COALITION

February 25, 2021

Senator Roby Smith, *Chair*  
Senate Committee on State Government  
1007 East Grand Avenue  
State Capitol  
Des Moines, IA 50319  
[robby.smith@legis.iowa.gov](mailto:robby.smith@legis.iowa.gov)

Senator Chris Cournoyer, *Vice Chair*  
Senate Committee on State Government  
1007 East Grand Avenue  
State Capitol  
Des Moines, IA 50319  
[chris.cournoyer@legis.iowa.gov](mailto:chris.cournoyer@legis.iowa.gov)

**Re: S.S.B. 1046**

Dear Senators Smith and Cournoyer:

The Professional Certification Coalition (PCC) writes regarding S.S.B. 1046, to address our concerns that it could weaken important occupational regulations that protect public health, safety, and welfare.

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, 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.

Members of the PCC provide certifications that communicate to the public that certified professionals have met established standards for knowledge, skill, and competency in their fields. As subject matter experts, private certification organizations are in the best position to develop and define the *content* of the standards that certificants must demonstrate to earn a recognized credential in their field. Private certification is not a substitute for occupational licensure, however, in fields such as health care, safety-related roles, and the engineering and financial industries. For those occupations, regulatory agencies have incorporated the competency standards established by private professional certification programs into licensure requirements. For these professions, *enforcement* of competency and conduct standards is more effectively done by the licensing agency. In professions for which state licensing boards have historically provided oversight, it would not serve the public interest to eliminate or weaken licensure requirements and shift the enforcement function currently performed by licensure boards onto private certification programs. A private certification organization lacks the legal

authority and the resources to serve as a substitute for a licensing board for a profession for which licensure is required to protect public health, safety, or welfare.

The PCC supports efforts to remove unnecessary barriers to entry into professions to promote market competition and employment opportunities. We appreciate that S.S.B. 1046 has been drafted to include provisions designed to avoid intruding on the credentialing decisions of private certification organizations. For example, the bill avoids setting up the government as a competitor to private certification, if existing private certifications are available, and it expressly does not restrict licensure agencies from requiring private certification as a condition of licensure.

The PCC proposes the following amendments to ensure the bill's protection of the public and the certification community:

- All references to “public health or safety” should be amended to recognize “public health, safety, **or welfare**” as legitimate bases for regulatory requirements. Without this change, regulators could not retain occupational regulations designed to protect Iowa citizens from fraud, property damage, identity theft, etc., as those relate to public welfare but not to health or safety.
- for a similar reason, amend “present, significant and substantiated harms that threaten public health or safety” to “**significant, and substantiated or recognized imminent harms that threaten public health, and safety, or welfare.**”
- The definition of certification should be amended to define certification in a way that screens out organizations that sell credentials without substance. The amended definition would read: “a voluntary program in which a private organization or the state grants nontransferable recognition to an individual who meets personal qualifications **relevant to performance of the occupation to which the certification pertains, including by demonstrating a specified level of knowledge, competency, or skill required to meet standards in the profession, as established by state law or by a private organization that issues credentials that are widely recognized in the field.**”
- To avoid having the legislation lead to elimination of occupational regulation that is widely recognized as necessary to protect the public, add “**Notwithstanding other provisions in this chapter, the state may regulate a profession or occupation and impose licensure requirements for practice of that occupation if the licensure requirements are based on uniform national laws, practices, and/or examinations that have been adopted by at least two-thirds of states and territories in the United States.**”

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.

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Sincerely,

A handwritten signature in black ink, appearing to read "Craig J. Saperstein".

**Craig J. Saperstein | Partner**

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LLP

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Current List of PCC Members

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)

APICS (formerly the  
American Production and  
Inventory Control Society)

Association for Financial  
Counseling & Planning  
Education (AFCPE)

Association for Financial  
Professionals (AFP)

Association of Surgical  
Technologists (AST)

Behavior Analyst  
Certification Board (BACB)

Building Industry Consulting  
Service International (BICSI)

Board of  
Certification/Accreditation  
(BOC)

Board of Certified Safety  
Professionals (BCSP)

Board of Pharmacy  
Specialties (BPS)

Building Commissioning  
Certification Board (BCCB)

CCIM Institute (issues the  
Certified Commercial  
Investment Member  
designation)

CFA Institute

Certification Board for Music  
Therapists (CBMT)

Certification Board of  
Infection Control and  
Epidemiology (CBIC)

Certification Council for  
Professional Dog Trainers

Certified Financial Planner  
Board of Standards (CFP)

Certified Fund Raising  
Executive International  
(CFRE)

Commercial Real Estate  
Certification Institute

Commission for Case  
Manager Certification  
(CCMC)

Commission on Nurse  
Certification (CNC)

CompTIA

Community Association  
Institute (CAI)

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Construction Management Association of America (CMAA)  
Council of Engineering and Scientific Specialty Boards (CESB)  
Dental Assisting National Board (DANB)  
Design-Build Institute of America (DBIA)  
Diving Equipment and Marketing Association (DEMA)  
Entertainment Services and Technology Association (ESTA)  
ETA International (ETA)  
Events Industry Council (EIC)  
Financial Planning Association (FPA)  
Hearth, Patio, & Barbecue Education Foundation  
Heuristic Solutions  
Hospice and Palliative Credentialing Center (HPCC)  
Institute for Credentialing Excellence (ICE)  
Institute of Certified Management Accountants (ICMA)  
Institute of Hazardous Materials Management (IHMM)  
Institute of Internal Auditors (IIA)  
Inteleos (includes the American Registry for Diagnostic Medical Sonography (ARDMS) and the Alliance for Physician Certification & Advancement (APCA))

Irrigation Association  
International Association of Healthcare Central Service Materiel Management (IAHCSMM)  
International Association of Lighting Designers (IALD)  
International Certification & Reciprocity Consortium (IC&RC)  
International Coach Federation (ICF)  
International Foundation for Retirement Education (InFRE)  
International Society of Automation (ISA)  
Institute of Real Estate Management (IREM)  
International Information System Security Certification Consortium (ISC<sup>2</sup>)  
IT Certification Council (ITCC)  
Laborers' International Union of North America Training & Education Fund (LIUNA)  
Medical-Surgical Nursing Certification Board (MSNCB)  
National Association of Legal Assistants, Inc. (NALA)  
National Association of Insurance and Financial Advisors (NAIFA)  
National Association of Personal Financial Advisors (NAPFA)  
National Athletic Trainers' Association Board of Certification, Inc. (NATA)

National Board of Certification and Recertification for Nurse Anesthetists (NBCRNA)  
National Board of Certification in Hearing Instrument Sciences (NBC-HIS)  
National Kitchen and Bath Association (NKBA)  
National Board of Certification in Occupational Therapy (NBCOT)  
National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM)  
National Certification Board for Diabetes Educators (NCBDE)  
National Certification Corporation (NCC)  
National Commission on Certification of Physician Assistants (NCCPA)  
National Commission for Health Education Credentialing  
National Council on Family Relations (NCFR)  
National Recreation and Park Association (NRPA)  
National Restaurant Association (NRA)  
National Roofing Contractors Association (NRCA)  
National Society of Professional Engineers (NSPE)  
Nephrology Nursing Certification Commission  
Oncology Nursing Certification Corporation

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Professional Association of  
Therapeutic Horsemanship  
International (PATH)

Pediatric Nursing  
Certification Board (PNCB)

Pharmacy Technician  
Certification Board (PTCB)

PSI Services

Pearson Vue

QualityPro

School Nutrition Association  
(SNA)

SeaCrest Consulting

Security Industry Association

Society of Broadcast  
Engineers (SBE)

Specialty Pharmacy  
Certification Board (SPCB)

Spray Polyurethane Foam  
Alliance (SPFA)

Towing and Recovery  
Association of America, Inc.  
(TRA)