



Notes PCC Member Strategy Call
Wednesday, January 26, 2022
12:00 pm ET

Steering Committee: ICE (Denise Roosendaal), ASAE (Jeff Evans)

Legal Counsel: Jerry Jacobs, Craig Saperstein, Julia Judish, Lori Panosyan, Nicole Steinberg (Pillsbury)

1. Welcome

- a. **A belated Happy New Year! As always, thank you for your continued participation and support – both organizational and financial. We greatly appreciate your engagement.**
- b. Earlier this month we sent out invoices for the second half of annual membership dues for those who chose to pay dues in two installments. If you did not receive it, please let us know. Especially as the legislative season intensifies, it is vital for us to have a clear understanding of our financial resources.
- c. Updates to PCC website
 - i. We reviewed the entire website and have updated several pages to align with our current messaging.
 - ii. To further this effort, we would like to include narratives from current members describing the value they believe they are getting from PCC membership, in an effort to encourage additional organizations to join. Although we have enjoyed solid membership retention as a coalition, we are always seeking to grow to allow us to expand our advocacy activity on behalf of the certification community.

2. State Legislation

- a. As is typical for the start of the year— especially in an election year for most states—we’re seeing a flurry of legislative activity.
- b. Updated watchlists and a Monitored Bills List are posted on the For Members portion of website
 - i. We posted new watchlists for this 2022 legislative season. Also, new this year, we have posted a summary Monitored Bills List of all the bills we’re currently monitoring, so you have an easy way to generate reports to members, allies, and certificants.
 - ii. Although the Legislative Monitoring Bill List is located in the “For Members” section, feel free to share it with your own stakeholders. You are also welcome to share legislator letters.
 - iii. **However, please do not share the detailed legislative watchlists, as they are intended only for PCC members and include attorney-client privileged information.**
- c. New approach to watchlists and legislative letters
 - i. On the 2022 watchlists, we have created a separate table at the bottom to track potential carryover bills that have not moved since last session. If any of these bills have activity, we’ll provide more detailed summaries of their provisions and analyses and move them into the main sections of the watchlists.
 - ii.

We also have reviewed our approach to categorizing bills. When we started the coalition three years ago, we more liberally labeled bills “high priority.” As we have matured as an organization, we are reserving the “high priority” label for bills where we are more likely need to activate our membership to directly engage if the bills advance, even as we continue to share the PCC’s position and suggest bill amendments via letter to legislators on medium or low priority bills.

d. New high priority bills

State	Bill Number	Category	Priority
Maryland (MD)	SB 111	Ex-Offender Reentry	High
Nebraska (NE)	LB 709	Ex-Offender Reentry	High
Vermont (VT)	S 203	Ex-Offender Reentry/ Universal Licensure/ Reciprocity	High
Missouri (MO)	HB 1900	Universal Licensure/ Reciprocity	High

- i. Ex-offender and clean slate bills appear to be the highest priority bills this legislation session, with many more such bills than the traditional occupational licensing review bills. The bills we are seeing often align with principles and model legislation crafted by some of the key stakeholder groups (e.g. ALEC and IJ).
- ii. **MD SB 111** – prohibits denying a license or certificate solely on the basis of a conviction unless a “direct relationship” exists between the conviction and license and unreasonable risk exists, and after 7 years have elapsed since completion of a sentence, a licensing department is further restricted from denying a license unless the crime entails registration on a sex offender registry.
- iii. **NE LB 709** – has similar issues to MD SB 111, removing discretion from licensing agencies and narrowly considering only public safety, not public health or welfare.
- iv. **MO HB 1900** – introduced by Rep. Derek Grier (R), who the PCC has dealt with on previous bills. When a universal licensure/reciprocity bill ensures that the out-of-state licensee has substantially similar qualifications and scope of practice, the PCC does not oppose the approach. However, when a bill goes beyond this and opens up licensure to unlicensed individuals moving from a state that does not require licensure, and allows the individual to bypass all the state’s requirements as long as they have work experience, we view this as dangerous to the principle of licensure and to members of the public. This creates a race to the bottom system.
- v. **VT S 203** – Includes both ex-offender reentry and alternative pathway to licensure provisions. This is one of the bills that requires agencies to list all disqualifying offenses on their websites and prohibits denying a license unless the crime directly relates to the duties and responsibilities of the profession. We have proposed broadening the definition of what is considered relevant to the occupation and eliminating the provision that requires agencies to anticipate every offense with which an individual can be charged that reflects relevant misconduct. On alternative pathways to licensure, the bill would allow unlicensed persons from other states to receive a license based on work experience. For this and other universal licensure bills, we have proposed that unlicensed individuals from other states must meet the minimum qualifications for licensure, such as by holding a private professional certification if the state’s practice act ordinarily requires that of licensees.
- vi. **Member Question:** How is the PCC suggesting that the “substantially equivalent” standard for the scope of practice in reciprocal licensure bills be verified?
 - 1. **Answer:** The PCC recommends amendments that direct the oversight body to determine this, in its discretion.
- vii. Letters to legislators will start to be sent out next week. Be on the lookout for announcements and more targeted outreach.

3. Federal Legislation

a. *REBUILD Skills Act* update

- i. The *REBUILD Skills Act* has not yet been introduced, but we continue to progress toward that goal. We were pleased to learn that the House Ways and Means Committee does not have any remaining questions regarding the bill after our previous consultation with committee staff. This is a very encouraging sign, as it is rare that the Ways and Means Committee does not have corrections it wants to make to a bill under its jurisdiction.
- ii. Rep. Kilmer's staff is actively seeking a Republican co-sponsor. The offices they have contacted have requested a financial score from the Joint Committee on Taxation, and it is in the JCT's queue.
- iii. We are also working on a Senate companion bill, speaking to several Senate offices regarding introducing the legislation.
- iv. **Member Question:** Who are you looking at for House Republican co-sponsor?
 1. **Answer:** Rep. Glenn "GT" Thompson of Pennsylvania. He is co-chair of the Congressional Career and Technical Education (CTE) Caucus. He is one of the members that wants to see the JCT's score.
- v. As a reminder, the *REBUILD Skills Act* would enable certifying organizations to provide career rebuilding scholarship funds of up to \$3,000 to eligible individuals who have lost a job, been furloughed, or become underemployed during the COVID-19 pandemic, and to military members and their spouses. Certifying organizations could then claim corresponding credits to their payroll taxes. The bill would also establish a directory that lists out the whole ecosystem of legitimate certification programs and which would be a resource to anyone who wants information about the available opportunities.

b. *Freedom to Invest in Tomorrow's Workforce Act* update

- i. We understand that Rep. Spanberger has been directly in touch with Chairman of the House Ways and Means Committee, Richie Neal.
- ii. Due to Congressional redistricting, Rep. Spanberger's House seat has migrated from central Virginia closer to the D.C. suburbs, which makes it a safer – though hardly a slam dunk – Democratic seat. This is beneficial for the bill's prospects.
- iii. As a reminder, the *Freedom to Invest in Tomorrow's Workforce Act* would allow individuals to utilize 529 savings plans for expenses associated with obtaining or maintaining a certification credential.

4. Stakeholder Outreach

a. Women in Government webinar planned

- i. Women in Government (WiG) is a trade association for women legislators across the country. We have had productive dialogue with WIG over the past few years and have previously presented at its events for women state legislators.
- ii. Under its new leadership, WiG is hosting webinars providing the opportunity for organizations to present on a particular public policy topic alongside a female legislator doing work in that area.
- iii. We plan to present in the next month or two on the PCC's state legislative priorities and feel this is a good opportunity to get our message out to legislators.
- iv. We will send a calendar invitation, and members will be permitted to attend.