



PROFESSIONAL CERTIFICATION COALITION

February 1, 2023

Sen. Nathan Dahm
2300 North Lincoln Boulevard
State Capitol Building, Room 526
Oklahoma City, OK 73105
dahm@oksenate.gov

Re: Oklahoma S.B. 896

Dear Senator Dahm:

The Professional Certification Coalition (PCC) writes regarding the potential negative effects of S.B. 896, the “Oklahoma Certification Opportunity Act.” In its current form, S.B. 896 sets up private certification as a substitute for licensure, which places enforcement burdens on private certification organizations that have neither the resources nor authority to take over from the state. It would also remove vital state oversight and enforcement of licensing standards and puts the public at risk. **For these reasons, unless the bill is substantially amended, we oppose it.**

The PCC is a nonprofit association formed to address legislation that affects 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.

When occupations are licensed, consumers have an expectation that any individual practicing that occupation meets baseline qualifications required by the state. The current language of S.B. 896, however, would allow individuals in Oklahoma to practice in *licensed* professions *without a license*. The proposed substitute – private certification – lacks any requirement that the individual’s qualifications are at least equivalent to the training, experience, examination performance, or other substantive criteria that a licensed individual must demonstrate to be granted a license in the occupation. Rather, **any company or organization can register with the state as a “private certifying organization” as long as it establishes qualifications – however minimal – relating to the occupation it credentials, publishes those qualifications on a state website, and can, within a year of registering, find 50 individuals in the U.S. willing to purchase its credentials.**

The bill opens the door for unscrupulous individuals to take advantage of consumers and contains insufficient safeguards for consumers to make an informed decision regarding the services of an unlicensed individual. For example, the bill contains the following deficiencies:

- Although the bill requires an unlicensed practitioner to disclose their unlicensed status on a sign, nothing in the bill ensures that a consumer has *actually seen* such a sign, understands its import, or has been provided information on the difference in qualifications between a privately certified individual and a licensed individual in the profession. Many consumers who use the services of licensed professionals never set foot on the premises of the business.

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- A person hiring the unlicensed individual may not be the end-user of the services or work product for which the person has contracted. For example, licensed civil and professional engineers build structures that members of the public enter or traverse; the public reasonably expects that such structures were designed by qualified individuals. It would imperil public safety to permit unqualified individuals to practice as civil or professional engineers, regardless of any prominent disclosure the unlicensed individual uses.

For these reasons, **the PCC opposes S.B. 896 unless it is amended to delete the provisions that circumvent licensure laws in Oklahoma, removing Section 4 of the bill.** The PCC does not oppose the provisions of the bill that would create a voluntary registry of private certifying organizations and their qualifications, but proposes additional amendments to better serve and protect the public:

- Amend the definition of “Private Certifying Organization” to “a nongovernmental organization **that issues credentials that are widely recognized in the field based on demonstrated qualifications relevant to performance of the occupation to which the certification pertains, including by the individual’s demonstration through examination or assessment that the individual has a specified level of knowledge, competency, or skill required to meet standards in the profession, and that** allows any individual to apply for private certification.”

While the PCC stands ready to work with lawmakers who are seeking to craft legislation that strikes a reasonable balance between the benefits of occupational licensing and the desire for free markets in employment, this legislation goes too far in removing protections for the public.

Thank you for your consideration of 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,



Jeff Evans
Director, Public Policy
ASAE: The Center for Association Leadership
Phone: (202) 626-2722
Email: jevans@asaecenter.org



Denise Roosendaal, CAE
Executive Director
Institute for Credentialing Excellence
Phone: (202) 367-1165
Email: droosendaal@credentialingexcellence.org

CC:

Rep. Kevin McDugle, *Chair*
House Committee on Business and Commerce
kevin.mcdugle@okhouse.gov

Rep. Trey Caldwell, *Vice Chair*
House Committee on Business and Commerce
trey.caldwell@okhouse.gov

Current List of PCC Members

AABC Commissioning Group	American Speech-Language-Hearing Association (ASHA)	Commission on Nurse Certification (CNC)
ABRET Neurodiagnostic Credentialing & Accreditation (ABRET)	American Traffic Safety Services Association (ATSSA)	Community Association Institute (CAI)
ABSA International: the Association for Biosafety and Biosecurity (ABSA)	American Translators Association (ATA)	Computing Technology Industry Association (CompTIA)
Academy for Certification of Vision Rehabilitation & Education Professionals (ACVREP)	Arcitura Education, Inc.	Construction Management Association of America (CMAA)
American Association of Professional Landmen (AAPL)	Association for Financial Counseling & Planning Education (AFCPE)	Council for Interior Design Qualification (CIDQ)
American Board for Certification in Orthotics, Prosthetics and Pedorthics (ABCOP)	Association of Surgical Technologists (AST)	Council of Engineering and Scientific Specialty Boards (CESB)
American Board of Certification for Gastroenterology Nurses (ABCGN)	Behavior Analyst Certification Board (BACB)	Dental Assisting National Board (DANB)
American Board of Foot and Ankle Surgery (ABFAS)	Board of Certification/Accreditation (BOC)	Diving Equipment and Marketing Association (DEMA)
American Board of Medical Specialties (ABMS)	Board of Certified Safety Professionals (BCSP)	Entertainment Services and Technology Association (ESTA)
American Board of Neuroscience Nursing (ABNN)	Board of Pharmacy Specialties (BPS)	ETA International
American Board of Nursing Specialties (ABNS)	Building Commissioning Certification Board (BCCB)	Financial Planning Association (FPA)
American Industrial Hygiene Association (AIHA)	Certification Board for Diabetes Care and Education (CBDCE)	Healthcare Sterile Processing Association (HSPA)
American Legal Nurse Consultant Certification Board (ALNCCB)	Certification Board for Music Therapists (CBMT)	Hearth, Patio, & Barbecue Education Foundation (HPBA)
American Medical Certification Association (AMCA)	Certification Board of Infection Control and Epidemiology (CBIC)	Heuristic Solutions
American Nurses Credentialing Center (ANCC)	Certification Council for Professional Dog Trainers (CCPDT)	Hospice and Palliative Credentialing Center (HPCC)
American Payroll Association (APA)	Certified Financial Planner Board of Standards (CFP)	Institute for Credentialing Excellence (ICE)
American Society of Association Executives (ASAE)	Certified Fund Raising Executive International (CFRE)	Institute of Hazardous Materials Management (IHMM)
American Society of Civil Engineers (ASCE)	CertiProf, LLC	Institute of Inspection Cleaning and Restoration Certification (IICRC)
	Chartered Financial Analyst Institute (CFA)	International Coach Federation (ICF)
	Commission for Case Manager Certification (CCMC)	International Information System Security Certification Consortium (ISC ²)

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Investments & Wealth Institute
(IWI)

Irrigation Association

IT Certification Council (ITCC)

Laborers' International Union of
North America Training &
Education Fund (LIUNA)

Medical-Surgical Nursing
Certification Board (MSNCB)

National Association of
Insurance and Financial
Advisors (NAIFA)

National Association of Personal
Financial Advisors (NAPFA)

National Athletic Trainers'
Association Board of
Certification, Inc. (NATA/BOC)

National Board of Certification
and Recertification for Nurse
Anesthetists (NBCRNA)

National Board of Certification
in Hearing Instrument Sciences
(NBC-HIS)

National Board of Certification
in Occupational Therapy
(NBCOT)

National Board of Surgical
Technology and Surgical
Assisting (NBSTSA)

National Certification
Commission for Acupuncture
and Oriental Medicine
(NCCAOM)

National Certification
Corporation (NCC)

National Commission on
Certification of Physician
Assistants (NCCPA)

National Commission for Health
Education Credentialing
(NCHEC)

National Council on Family
Relations (NCFR)

National Kitchen and Bath
Association (NKBA)

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
(NNCC)

Oncology Nursing Certification
Corporation (ONCC)

Pediatric Nursing Certification
Board (PNCB)

Pharmacy Technician
Certification Board (PTCB)

Professional Association of
Therapeutic Horsemanship
International (PATH)

PSI Services

Pearson Vue

QualityPro

Rehabilitation Nursing
Certification Board (RNCB)

School Nutrition Association
(SNA)

SeaCrest Consulting

Security Industry Association
(SIA)

Society of Broadcast Engineers
(SBE)

Specialty Pharmacy
Certification Board (SPCB) c/o
National Association of
Specialty Pharmacy
Certification Board

Spray Polyurethane Foam
Alliance (SPFA)

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

National Board of Public Health
Examiners (NBPHE)