



PROFESSIONAL
CERTIFICATION
COALITION

March 27, 2023

Sen. Chip Perfect, *Chair*
Senate Commerce and Technology Comm.
senator.perfect@iga.in.gov

Sen. Eric Koch, *Ranking Member*
Senate Commerce and Technology Comm.
senator.koch@iga.in.gov

Sen. Shelli Yoder, *Ranking Minority Member*
Senate Commerce and Technology Comm.
s40@iga.in.gov

Re: H.B. 1343

Dear Senators Perfect, Koch, and Yoder:

The Professional Certification Coalition (PCC) writes to applaud the removal of the private cause of action provisions of H.B. 1343 and urge adoption of additional amendments, relating to occupational licensing reform. The PCC agrees that occupational licensing regulations should balance the needs of market competition with consumer protection and accordingly proposes these clarifications.

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. Our 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, and *enforcement* of those 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

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licensing board for a profession for which licensure is required to protect public health, safety, or welfare.

With these considerations in mind, the PCC encourages the following amendments to H.B. 1343:

- Add a safe harbor provision: **“Nothing in this chapter shall be construed to 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.”**
- Add another safe harbor provision **“An occupational regulation that is 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 presumptively conforms with the standard set forth in Section 7 of this chapter.”**

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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CC:

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

International Coach Federation (ICF)
International Information System Security Certification Consortium (ISC²)
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)