

Annual In-Person Meeting

March 5, 2025



PROFESSIONAL
CERTIFICATION
COALITION

Agenda

1. State Legislative Monitoring and Advocacy Update
2. Breakout Group Discussions
3. Federal Advocacy Update
4. Impact of the Trump Administration's Recent Actions on the Certification Community
5. Breakout Group Discussions

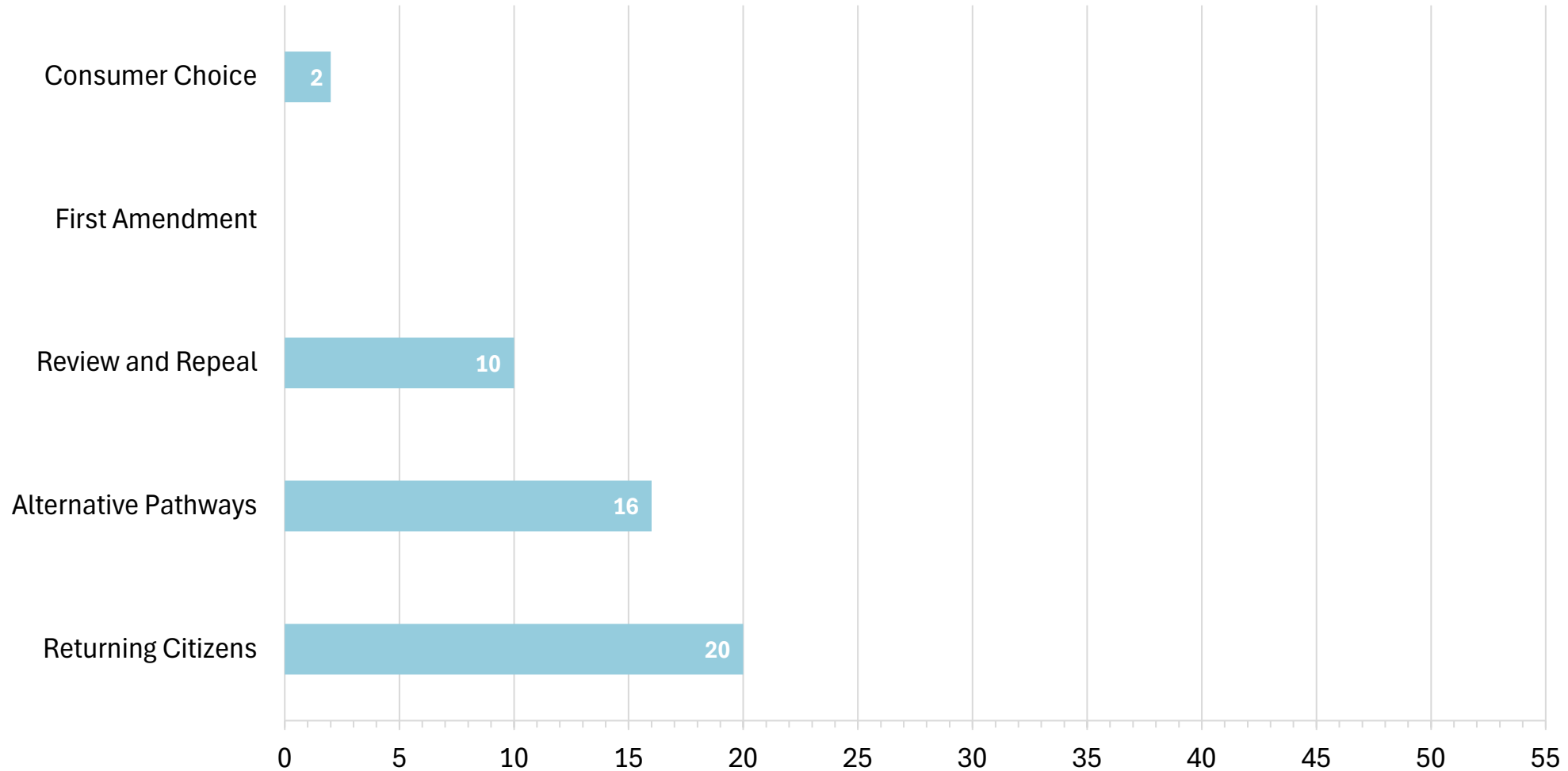


State Legislative Monitoring and Advocacy



PROFESSIONAL
CERTIFICATION
COALITION

State Legislation: Bill Categories



AZ HB 2282 (*repeat*)

OPPOSE



PROFESSIONAL
CERTIFICATION
COALITION

- Would require all occupational regulating authorities to establish a pathway for granting licenses, certificates, or registrations through apprenticeship programs, without completing educational requirements.

Colorado SB 25-156

OPPOSE



PROFESSIONAL
CERTIFICATION
COALITION

- “The Colorado Right to Earn a Living Act”
- Must repeal any occupational regulations that are not “demonstrably necessary and narrowly tailored to achieve a specific, legitimate public health, safety, or welfare objective.”
- Creates a private right of action and a petition process

Texas HB 2690

OPPOSE



PROFESSIONAL
CERTIFICATION
COALITION

- Prohibits burdening an individual's right to earn a living unless the law is necessary to protect public health, safety, or welfare
- Creates a private right of action and standing for anyone **regardless of whether they applied for, obtained, or were denied** a license
- Applies as long as the individual *intends* to engage and is hindered
- Waives governmental immunity

Utah HB 474 (*repeat*)

OPPOSE



PROFESSIONAL
CERTIFICATION
COALITION

- Harm = “the present, recognizable, and significant harm to the health, safety, or financial welfare of the public.”
- Requires the Office of Professional Licensure to “articulate the harm with specificity”
- Creates a petition process and private right of action

Texas HB 794 (*repeat*)



AMEND



PCC

PROFESSIONAL
CERTIFICATION
COALITION

- Repeal or modify regulations not “demonstrably necessary and carefully tailored to fulfill legitimate public health, safety, and welfare objectives.”
- Creates a private right of action
- Entitled to relief if the court finds by a preponderance of the evidence that the regulation burdens entry into a profession and does not meet above standard

Oklahoma SB 317 (*repeat*)

AMEND



PROFESSIONAL
CERTIFICATION
COALITION

- Permits a private certifying organization to voluntarily register
- At least 50 privately certified individuals 1 year after registration
- Sets up the state as, in effect, an alternative accreditor of private certification programs
- Registered private certification + disclosure to consumers to avoid licensure in any licensed profession
- Shifts the state oversight and enforcement function onto private certification organizations
- End-run around practice acts that require private certification

Virginia SB 826 (*repeat*)



AMEND



PROFESSIONAL
CERTIFICATION
COALITION

- **Current law:** cannot refuse a license, certificate, or registration solely because of a criminal conviction, unless the criminal conviction directly relates to the profession
- **Current law:** authority to refuse a license, certificate, or registration if it finds that the applicant is “unfit or unsuited to engage in such occupation or profession.”
- SB 826: Strikes the board’s authority to refuse if unfit or unsuited
- 2024: Governor veto
- 2025: back on Governor’s desk

Returning Citizens Legislation



PROFESSIONAL
CERTIFICATION
COALITION

Example: WV SB 493

- A criminal conviction “directly and specifically relates” to the activity requiring licensure if the circumstances of the offense and the nature of the profession or occupation would create an unreasonable risk to public safety, health, or welfare for an individual to practice the licensed profession, or if the underlying conduct resulting in the conviction would be grounds for disciplinary action against a current licensee.

State Legislation: Returning Citizens



PROFESSIONAL
CERTIFICATION
COALITION

Example: WV SB 263

- Boards subject to the requirements of this section may not disqualify an applicant from initial licensure to engage in a profession or occupation because of a prior criminal conviction that remains unreversed unless that conviction is for a crime that directly and specifically relates to the duties and responsibilities of the profession or occupation requiring licensure and granting the applicant licensure would ~~pose a direct and substantial~~ **an unreasonable** risk to public **safety, health, or welfare** because the applicant has not been rehabilitated.

Alternative Pathways Safe Harbor



PROFESSIONAL
CERTIFICATION
COALITION

“Notwithstanding any other provision in this section, if the occupational licensing rules of the board require applicants to hold a current and valid private certification, the board must require the applicant who seeks a license under the provisions of this section to hold that private certification before issuing a license under this section. Where a licensing law specifies a private certification or other substantive qualifications as alternative eligibility standards for a license, an applicant who seeks a license under the provisions of this section must either hold that current and valid private certification or demonstrate qualifications at least equivalent to the alternative eligibility standards required in this state for practice of that lawful occupation.”

Clean Slate White Paper



PROFESSIONAL
CERTIFICATION
COALITION

- Doesn't specifically target private certification
- Part of larger movement
- Significant state-level activity and PCC resources
- Implicates criminal procedures

Clean Slate White Paper Recommendations



- Exclude crimes of fraud from automatic expungement
- Use the date an individual completes their sentence (not the date of conviction) to calculate the time to be eligible for automatic expungement
- Delay automatic expungement until any pending criminal charges are resolved
- Expand exceptions to access to allow licensing boards to consider conduct that would violate standards of conduct
- Cannot deny expunged convictions if asked by licensing agencies or certification orgs about convictions related to conduct that would violate disciplinary policies
- Prohibit denying a license or certification on basis of an expunged conviction unless the underlying conduct would likely result in revocation of a current license or credential

Strategic and Governance Considerations for Engagement by PCC Members



PROFESSIONAL
CERTIFICATION
COALITION

Breakout Session



PROFESSIONAL
CERTIFICATION
COALITION



What state legislation is of most concern to your organization?



Are there profession-specific legislative actions that you are seeing that could develop into broader legislative trends?



What level of engagement does your organization have – or do you want it to have?



PROFESSIONAL
CERTIFICATION
COALITION

Lunch Break



Federal Advocacy



PROFESSIONAL
CERTIFICATION
COALITION

Freedom to Invest in Tomorrow's Workforce Act



PROFESSIONAL
CERTIFICATION
COALITION

- **Bipartisan and bicameral**
- **Transforming “college savings plans” to “career savings plans”**
- Would expand qualified expenses under 529 savings plans to include postsecondary training and credentialing
- Would provide valuable tax-advantaged resources for families, students and workers—with or without a college degree—who pursue career growth, mid-career changes or pathways that diverge from a typical academic route

Freedom to Invest in Tomorrow's Workforce Act



PROFESSIONAL
CERTIFICATION
COALITION

- **S. 756 – 3 Cosponsors**
- Introduced Feb. 26, 2025
- Sen. Amy Klobuchar (D-MN)



- **H.R. 1151 – 52 Cosponsors**
- Introduced Feb. 7, 2025
- Rep. Rob Wittman (R-VA)





PROFESSIONAL
CERTIFICATION
COALITION

Tomorrow's Workforce Coalition

- PCC + ASAE + I.C.E.
- Singular goal: build Congressional support for the Freedom to Invest in Tomorrow's Workforce Act
- ~**900** member organizations
- September 2023 sign-on letter
- Engagement opportunities abound





PROFESSIONAL
CERTIFICATION
COALITION

Capitol Hill Advocacy Day Recap

Skills Investment Act

- Transition Coverdell education savings accounts into lifelong learning accounts
- Allow funds to be used up to age 70 (currently, only usable until age 30)
- Expand eligible uses of Coverdell accounts to include CTE/adult education and literacy and training provided by WIOA eligible training providers
 - Currently limited to postsecondary education, i.e., college
- Eligible expenses: “expenses for testing necessary for enrollment in, or certification in connection with,” WIOA training and career services/Perkins CTE activities, adult literacy/education, WIOA “youth activities”
- **Does not** provide savings vehicles for majority of PCC member certifications or provide as wide-reaching tax-favored savings vehicles

Skills Investment Act (Contin.)



PROFESSIONAL
CERTIFICATION
COALITION

- Employers receive 25% tax credit for contributions to employees' Coverdell accounts to upskill the workforce (regardless of whether employee is contributing to their own account or not)
- Currently can only contribute \$2,000 to Coverdell with max \$10,000; age 30 and up can make catch-up of up to \$4,000
- Interplay between Skills Investment Act and Freedom to Invest could be critical

Credentialing Opportunities On-line (COOL) Database



PROFESSIONAL
CERTIFICATION
COALITION

- Federal program to enable servicemembers to obtain professional credentials that translate into civilian occupations and to pay for certain expenses associated with professional certification and licensing.
- Aims to align military training with industry-recognized credentials
- Focus on credentialing programs that improve operational effectiveness, talent retention, and national security.



Credentialing Opportunities On-line (COOL) Database



PROFESSIONAL
CERTIFICATION
COALITION

- In Dec. 2024, the Army partially cut benefits under its COOL program, affecting more than 100,000 soldiers
 - \$4,000 → \$2,000 per year
 - 1 credentialing course per year; no more than three courses in a decade.
 - Recertification doesn't count toward annual course limit, but still deducted from the overall financial cap
- **PCC, along with several other organizations, will be advocating for Congress to provide full funding for the Army COOL program and for continued congressional oversight**

Guest Speaker: Andrew Maloney

Legislative Assistant

Rep. Rob Wittman (R-VA)

Lead Sponsor, H.R. 1151

Freedom to Invest in

Tomorrow's Workforce Act



PROFESSIONAL
CERTIFICATION
COALITION

The Trump Administration's Impact on Certification



PROFESSIONAL
CERTIFICATION
COALITION

- Categories of risk:
 - Pause or termination of federal funding streams
 - Indirect funding losses from restrictions on certificants
 - Exam blueprint covering targeted topics
 - SME impacts
 - Programs/policies on targeted principles or language
 - Reputational risk from retreat
 - Environment of uncertainty

Breakout Session



PROFESSIONAL
CERTIFICATION
COALITION



Has your organization been impacted by the Administration's recent actions?



What federal level actions or proposals – whether threats or opportunities – are most of interest to your organization?



Do you have suggestions for changes or additions to the PCC's focus areas or activities?



PROFESSIONAL
CERTIFICATION
COALITION

Thank you!