



March 3, 2026

Senator Keven J. Stratton
kstratton@le.utah.gov
350 N State Street
Suite 350
Salt Lake City, UT 84114

Re: SB 174

Dear Senator Stratton:

The Professional Certification Coalition (PCC)¹ writes regarding SB 174. In its current form, SB 174 exposes professional certification organizations to liability for core credentialing decisions and intrudes upon the First Amendment rights of these organizations. **For these reasons, the PCC opposes SB 174.**

SB 174 creates a sweeping statutory right for health care providers to categorically refuse to provide lawful, medically indicated health care services based on the provider's religious belief or conscience. "Conscience" is broadly defined to mean a "sincerely held belief as to the rightness or wrongness of an action or inaction," thereby granting individual health care providers extraordinary discretion to opt out of critical, potentially lifesaving health care services and to act in a manner inconsistent with the established standard of care. Health care providers who exercise this discretion are broadly insulated from "discrimination" or "adverse action," not only by their employer but by *any other person*. Such "adverse actions" include denial of licensure, refusal of board certification, disciplinary action, and any other "penalty, disciplinary action, or retaliatory actions." There is no requirement in the bill that a health care provider inform a patient about their care options or that the provider refer a patient to another provider who would be willing to provide or discuss that care. Rather, as the bill is written, the provider can unilaterally forestall a patient from learning about or receiving appropriate care because the provider believes that treatment plan would be the wrong course of action. These actions by a provider would violate the conduct codes of many licensing boards, health care employers, and – of particular importance to the PCC, many certifying bodies that grant credentials in the health care field.

¹ The PCC is a nonprofit, nonpartisan 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.

Because the bill defines “adverse action” to include “refusal of board certification” and prohibits “a person” from taking such action, private certification organizations fall squarely within the scope of potential liability. The bill also authorizes administrative investigation and private lawsuits seeking damages and attorney’s fees. As a result, private credentialing bodies could face enforcement actions or litigation for declining to certify an individual who violates professional standards that the certifying body considers fundamental to the specialty.

Taken together, these provisions prevent licensing boards, hospitals, and professional certification organizations from enforcing standards that require providers to deliver the full scope of lawful, medically appropriate care within their specialty. By prohibiting adverse action and attaching damages liability to professional accountability measures, the bill restricts the ability of private certification bodies to define and enforce the standards that form the basis of their credentialing decisions. The effect constitutes a serious infringement on certification bodies’ First Amendment rights. The bill *compels* speech by forcing organizations to credential (and effectively endorse) providers who fail to comply with the standards of the organization, and it also *restrains* speech by penalizing the expression and enforcement of the organization’s professional standards.

Ultimately, this legislation goes beyond protecting against discrimination based on religious views or conscience. It affirmatively authorizes interference with a patient’s care and withholding of medical information from patients and shields those actions from professional accountability. In doing so, it risks undermining patient access to care and interfering with the ability of institutions and professional bodies to establish and enforce standards of practice. This proposed interference by the Utah legislature would prohibit professional bodies from holding providers accountable when they refuse care based on individual religious or other beliefs.

The legislation in its current form risks violating the First Amendment rights of private associations and certification organizations and poses a danger to the public. The PCC therefore opposes SB 174.

Thank you for your consideration of these issues. Please feel free to reach out to us using the contact information identified below.

Sincerely,



Mary Kate Cunningham, CAE
Chief Public Policy and Governance Officer
ASAE: The Center for Association Leadership
Phone: (202) 626-2722
Email: mcunningham@asaecenter.org



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



AABC Commissioning Group
ABRET Neurodiagnostic
Credentialing & Accreditation
(ABRET)
ABSA International: the
Association for Biosafety and
Biosecurity (ABSA)
Academy for Certification of
Vision Rehabilitation &
Education Professionals
(ACVREP)
American Association of
Critical-Care Nurses (AACN)
American Board for
Certification in Orthotics,
Prosthetics and Pedorthics
(ABCOP)
American Board of Certification
for Gastroenterology Nurses
(ABCGN)
American Board of Foot and
Ankle Surgery (ABFAS)
American Board of
Neuroscience Nursing (ABNN)
American Board of Nursing
Specialties (ABNS)
American Medical Certification
Association (AMCA)
American Nurses Credentialing
Center (ANCC)
American Payroll Association
(APA)
American Registry of
Radiologic Technologists
(ARRT)
American Society of
Association Executives (ASAE)
American Speech-Language-
Hearing Association (ASHA)
American Traffic Safety
Services Association (ATSSA)

American Translators
Association (ATA)
Arcitura Education, Inc.
Association for Financial
Counseling & Planning
Education (AFCPE)
Association of Surgical
Technologists (AST)
Behavior Analyst Certification
Board (BACB)
Beingcert
Board of Certified Safety
Professionals (BCSP)
Board of Pharmacy Specialties
(BPS)
Building Commissioning
Certification Board (BCCB)
Building Industry Consulting
Service International, Inc.
(BICSI)
Certification Board for Diabetes
Care and Education (CBDCE)
Certification Board for Music
Therapists (CBMT)
Certification Council for
Professional Dog Trainers
(CCPDT)
Certified Financial Planner
Board of Standards (CFP Board)
Certified Fund Raising
Executive International (CFRE)
Chartered Financial Analyst
Institute (CFA Institute)
Commission for Case Manager
Certification (CCMC)
Community Association
Institute (CAI)
Competency & Credentialing
Institute (CCI)

Construction Management
Association of America
(CMAA)
Council of Engineering and
Scientific Specialty Boards
(CESB)
Dental Assisting National Board
(DANB)
Diving Equipment and
Marketing Association (DEMA)
Entertainment Services and
Technology Association (ESTA)
ETA International
Financial Planning Association
(FPA)
Healthcare Sterile Processing
Association (HSPA)
Hearth, Patio, & Barbecue
Education Foundation (HPBA)
Hospice and Palliative
Credentialing Center (HPCC)
Human Resource Certification
Institute, Inc. (HRCI)
Institute for Credentialing
Excellence (ICE)
Institute of Hazardous Materials
Management (IHMM)
International Coach Federation
(ICF)
International Information
System Security Certification
Consortium (ISC²)
Irrigation Association
IT Certification Council (ITCC)
Laborers' International Union of
North America Training &
Education Fund (LIUNA)
Medical-Surgical Nursing
Certification Board (MSNCB)
NALA – The Paralegal
Association

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 Board for Acupuncture and Herbal Medicine (NCBAHM)

National Certification Corporation (NCC)

National Commission for Health Education Credentialing (NCHEC)

National Commission on Certification of Physician Assistants (NCCPA)

National Council on Family Relations (NCFR)

National Kitchen and Bath Association (NKBA)

National Recreation and Park Association (NRPA)

National Restaurant Association (NRA)

National Society of Professional Engineers (NSPE)

Nephrology Nursing Certification Commission (NNCC)

Oncology Nursing Certification Corporation (ONCC)

Pearson Vue

Pediatric Nursing Certification Board (PNCB)

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Pharmacy Technician Certification Board (PTCB)

Professional Association of Therapeutic Horsemanship International (PATH)

Project Management Institute (PMI)

PSI Services

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)

Spray Polyurethane Foam Alliance (SPFA)

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