



March 4, 2026

Rep. Katy Hall, *Chair*  
Health and Human Services Interim  
Committee  
[khall@le.utah.gov](mailto:khall@le.utah.gov)

**Re: SB 174**

Dear Rep. Hall:

The Professional Certification Coalition (PCC)<sup>1</sup> 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 refers 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.

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<sup>1</sup> 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,



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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 (ISC<sup>2</sup>)  
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)

*Last updated March 4, 2026*

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)