

Annual In-Person Meeting

March 26, 2026



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Agenda



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1. Review of Federal Legislative and Regulatory Activity
2. Guest Speaker: Alvin Dunn
3. Review and Discussion of State Legislative Activity
4. Pipeline Challenges Panel Discussion
5. Breakout Roundtable Discussions





Federal Legislative and Regulatory Activity



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Freedom to Invest in Tomorrow's Workforce Act Implementation



Freedom to Invest in Tomorrow's Workforce Act (Refresher)

- Beneficiaries of 529 plans can use funds in their 529 costs to cover costs (“qualified postsecondary credentialing expenses”) associated with a:
 - Recognized postsecondary credential
 - Recognized postsecondary credential program

Freedom to Invest in Tomorrow's Workforce Act (Refresher)



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Recognized postsecondary credential:

- ICE/NCCA/ANSI accredited
- Credential included on DOD COOL directories
- “Any postsecondary employment credential identified for purposes of this clause by the Secretary [of the Treasury], after consultation with the Secretary of Labor, as being industry recognized”
- Certificate of completion of a registered apprenticeship
- Any occupational or professional license (state or federal)
- Credential recognized on a state WIOA list
- *Discretion for Treasury/IRS and Labor to include others*

Recognized postsecondary credential program:

- Program on a state WIOA list
- Program on the VA WEAMS directory
- Authorized training program for recognized postsecondary credential
- *Discretion for Treasury/IRS, in consultation with Labor, to identify other reputable programs that qualify*

PCC Priorities for 529 Implementation



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- PCC implementation objectives
 - Ensure that high quality credentials and training programs that fall outside the definitions of “recognized postsecondary credential” and “recognized postsecondary credential program” are “529 eligible”
 - Provide **immediate-term** guidance on implementation of *Freedom to Invest* so that beneficiaries of and contributors to 529 plans, 529 plan administrators, credentialing bodies, and training providers have clarity on whether certain credentials and programs are recognized.
 - **Longer-term:** Establishment of a list/directory/”badge” for identifying recognized credentials and programs

PCC Proposals



- Recognize credentials accredited by a *profession-specific* accrediting body (e.g., ABSNC, CESB, ABA specialties, etc.)
- For non-accredited credentials, recognize credentials conferred by certification programs that:
 - Define/review/enforce/update specific standards regarding vital knowledge/skills for occupation
 - Administer a psychometrically valid assessment of relevant competencies for the occupation based on job analysis by representative panel of SMEs
 - Enforce a code of conduct
 - Require that candidates meet standards for initial certification and, as applicable, recertification/continuing certification *by certifying body that granted the initial certification*
 - Make information about the certification public, including content blueprint for any assessment, organization's procedures and policies, and a public list of individuals holding the credential
- For training programs, recognize those that:
 - Are sufficient to meet training/eligibility requirements set by a certification body, or
 - Hold accreditation from a profession specific accrediting body for training/education programs in the field
 - Examples: HVAC Excellence programmatic accreditation and IACT accreditation



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Military Credentialing Assistance

Credentialing Programs and Policies Overview

	Army	Navy	Marine Corps	Air Force/Space Force	Coast Guard
COOL Program Established	2002	2005	2014	2014	2019
Information Dissemination on COOL Sites: MOC to Credential Linkages/Analysis					
Enlisted	✓	✓	✓	✓	✓
Officer	✓	✓	Cyber coded only		✓
Warrant Officer	✓	✓	Cyber coded only		✓
Payment of Voluntary Credentialing Fees: Covered Personnel Categories					
Enlisted	✓	✓	✓	✓	✓
Warrant Officers	✓				✓
Officers	✓				✓
Federal Civilians	via ACCMA		Cyber coded only		✓
Payment of Voluntary Credentialing Fees: Components					
Active	✓	✓	✓	✓	✓
Guard	✓	NA	If on active duty orders	If on active duty orders	NA
Reserve	✓	✓	If on active duty orders	If on active duty orders	✓
Criteria for Payment of Credential: Credential must have a nexus with military training/service and can be related to:					
Most Military Occupation Duties	✓	✓	✓	✓	✓
Some Military Occupation Duties	✓	✓	✓	✓	✓
Collateral Duties/ASIs	✓	✓	✓		✓
Training (Military and Non-Military)	✓	✓	✓		✓
Certificate	✓	✓	✓		✓
Degree Programs	✓	✓	✓	One degree-related only	✓
Prior Military Occupations Held	✓	✓	✓	Yes, with limitations for 1 non-AFSC credential	✓
Prior Civilian Occupations Held	✓	✓		Yes, with limitations for 1 non-AFSC credential	✓
Civilian Career of Interest	✓				✓

Credentialing Programs and Policies Overview (cont.)

	Army	Navy	Marine Corps	Air Force/Space Force	Coast Guard
Types of Credentialing Fees Covered					
Application Fees	✓	✓	✓	✓	✓
Exams	✓	✓	✓	✓	✓
Recertification or Maintenance Fee	✓	✓	✓	✓	✓
Credential Preparation Fees Covered Through Voluntary Credential Program					
Manuals, Study Guides, Textbooks	✓			Up to \$500 per goal	✓
Non-Traditional Training	✓			✓	✓
Traditional Education/Courses	✓				✓
Number of Credentials/Dollar Limit					
Number/Dollar Limit	CA <ul style="list-style-type: none"> • 1 Credential per FY • 3 Credentials per 10 years of service • \$2,000 per FY/\$4,500 per FY combined CA and TA • \$1,000 per FY for select Aviation credentials IDC <ul style="list-style-type: none"> • \$800 per Soldier/per FY for examinations 	Unlimited	Cyber limited to (3) exams, otherwise unlimited.	Unlimited up to \$4,500 lifetime	CA \$4500 per FY
Service Policy					
Reference	AR 621-5	OPNAV INSTRUCTION 1540.56B	MARADMINs: 518/14 583/15	DAFI 36-2683 Voluntary Credentialing Programs (28 Feb 2024); AF COOL Handbook-2024	COMDTINST 1540.10
End of Active Service (EAOS) Restrictions?	Soldiers must complete the requested training or exam at least 30 days prior to separation	>2 months prior; complete 30 days prior to separation; additional waivers available	Waived since 2020. Currently no EAS restrictions.	Members must complete the requested training or exam at least 30 days prior to separation	>6 months prior
Repayment for Failed Exams?	Yes	No, but cannot take again	No. Retakes not funded as well.	Yes	No, but cannot take again
Additional Service Obligation?	No	No	No	No	No

PCC Priorities on Military Credentialing Assistance



- Approach: Utilize language/terms from *Freedom to Invest* and apply them to the military credentialing assistance (CA) context
 - Use of terms/definitions for recognized postsecondary credential”, recognized postsecondary credential program, and qualified postsecondary credentialing expenses
 - Utilize concepts from PCC’s *Freedom to Invest* implementation priorities
 - Profession-specific accreditation
 - Best practices for certification programs
 - Focus on quality credentials, quality training programs, and proper regulation of credentialing benefit to prevent against “catastrophic success”
 - Reasonable, inflation-adjustable benefit amounts
 - Limitations on frequency of use of CA
 - Limitations on lifetime use of CA

PCC Priorities on Military Credentialing Assistance



- Put military credentialing assistance (CA) on par with military tuition assistance (TA) with respect to recognized credentials, recognized training programs, servicemember eligibility, cost control, and uniformity across military services
- Provide greater consistency in federal policy on credentialing benefits

PCC Advocacy Efforts on Military CA



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- Attempt to include revisions to current military CA statute in the annual National Defense Authorization Act (NDAA)
 - NDAA is the seminal “must pass” bill in Congress: has been enacted every year for approximately 6.5 decades
 - Submitted requests to individual members of the House and Senate Armed Services Committee to recommend inclusion of our language in the NDAA
 - Met with HASC professional staff in mid-March; meeting forthcoming with SASC staff
- Strategic partnerships
 - Currently coordinating with Josh Atkinson from PM-ProLearn, who originated the concept behind the legislation, on strategy/outreach
 - May need to form separate coalition of stakeholders to undertake lobbying effort if current PCC-led effort is not immediately successful



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Graduate and Professional Student Loan Legislation/Regulation

OBBB Grad Student Loan Provision Implementation



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- Education Department RISE Negotiated Rulemaking
- NPRM in early 2026
- Final rule expected before July 2026

Advocacy Efforts in Opposition to New Student Loan Rules



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- Loan Equity for Advanced Professionals (LEAP) Act (Democratic bill)
 - Raises maximum amount of unsubsidized Stafford loans that a graduate or professional student may borrow in any academic year to \$50,000
 - Raises maximum loan amount for any qualifying program of study to \$200,000
- Professional Student Degree Act (GOP bill)
 - Amends definition of “professional degree” in the Higher Education Act (as amended by OBBB) to include many programs identified as “graduate” programs under OBBB
 - Authorizes ED to designate additional degrees as professional degrees
- Efforts to pass either bill on a partisan basis unlikely to succeed
- Lobbying coalition to support advocacy efforts formed

Guest Speaker: Alvin Dunn
Senior Counsel, Pillsbury Law

Antitrust Developments
Affecting Professional Societies
and Certification Bodies



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The Legal Framework

- Members of professional societies are direct competitors selling services to customers
- Certification organizations may have the power to determine which individuals or organizations are authorized to compete in a market
- The antitrust laws apply to certain competitor agreements and to certain unilateral conduct that excludes competitors
- Federal and state laws prohibit “unfair competition” and “unfair or deceptive acts or practices in or affecting commerce”

Petitioning the Government is Fine

- Agreements to take particular positions on government policy matters – even if among competitors and even if seeking policy that limits competition – are presumptively lawful
 - Noerr-Pennington protection is extremely broad





The Basic Law

- Sherman Act § 1:
 - Anticompetitive agreements are illegal: “Every contract . . . or conspiracy, in restraint of trade or commerce . . . is declared to be illegal.”
15 U.S.C. § 1.



The Basic Law

- Sherman Act § 2:
 - Monopolization is illegal: “Every person who shall monopolize, or attempt to monopolize . . . any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a felony.”

The Basic Law

- Federal Trade Commission Act § 5:
 - “Unfair methods of competition in or affecting commerce, and unfair or deceptive acts or practices in or affecting commerce, are hereby declared unlawful.”
 - Courts have held that the FTC has authority to define and proscribe a practice as “unfair” even though the practice does not violate the letter or spirit of the antitrust laws.

The Rough Part



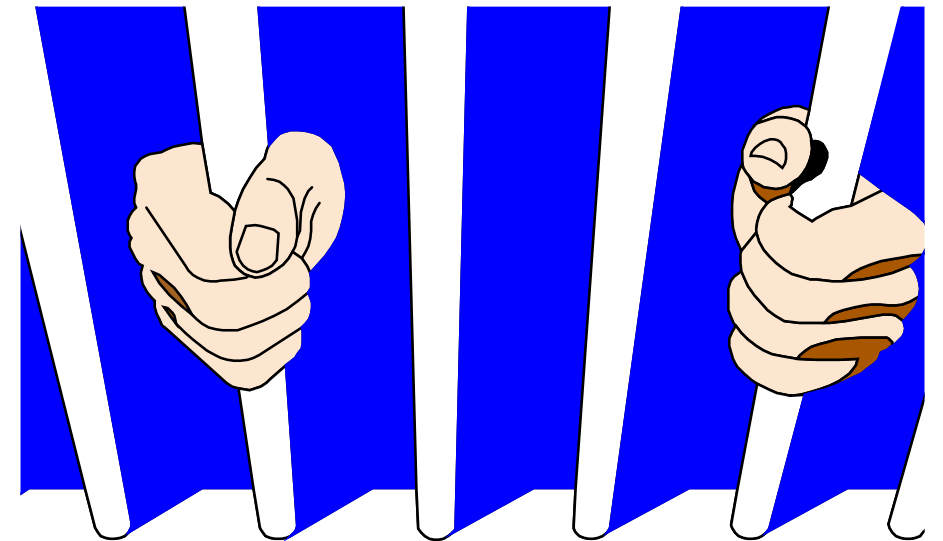
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**For antitrust violations,
criminal penalties are possible.**

More common:

Government actions seeking injunction relief and monetary penalties

- Private civil lawsuits seeking treble damages and attorneys' fees





The Better Part

Courts (usually) have interpreted the laws reasonably.

- Section 1: Only agreements that unreasonably restrain trade are unlawful
- Section 2: Only using exclusionary tactics to achieve or maintain a monopoly are unlawful. Monopolization through innovation or even just luck is ok
- FTC Act Sec. 5: Should be applied reasonably

Antitrust Focus on Certification Organizations



- DOJ, FTC, HHS Healthy Competition Website (April 18, 2024)
 - Invites complaints regarding certifying bodies or accreditation organizations that impose unnecessary recertification or accreditation requirements on healthcare providers
- Executive Order “Reducing Anti-Competitive Regulatory Barriers” (April 9, 2025)
 - Targets federal regulations (among others) that create or facilitate licensure or accreditation requirements that unduly limit competition
- FTC report to OMB recommends deleting or modifying over 125 federal regulations (September 16, 2025)
- Jerry Nadler letter to OMB demands OMB release the full report (September 30, 2025)

Lincoln Memorial University v. American Veterinary Medical Association



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- Complaint (June 18, 2025) alleges that AVMA accreditation requirements unlawfully limit veterinary schools and veterinarians
- DOJ Statement of Interest (December 15, 2025): Accreditation organizations are not immune from the antitrust laws
- AVMA Response to DOJ Statement of Interest (January 16, 2026): AVMA not asserting immunity but does assert that the alleged injury flows from state law



American College of Nurse-Midwives v. Mississippi State Board of Medical Licensure

- Mississippi is a reduced practice state, requiring a nurse practitioner to have a collaboration agreement with a physician
- Mississippi law requires that a certified nurse-midwife collaborate with a physician
- ACNM alleges Mississippi's restrictions are unlawful
 - 14th Amendment: Due process and equal protection
 - Sherman Act § 1 and Mississippi Antitrust Act



Law or Politics?

- FTC Civil Investigative Demands to American Academy of Pediatrics, Endocrine Society, and the World Professional Association for Transgender Health (January 15, 2026)
 - FTC investigating “unfair practices in connection with the marketing and advertising of Pediatric Gender Dysphoria Treatment”
 - Sought information on (among other things) education, training, or certification programs
 - Targets moved to quash the CIDs (February 10, 2025) and sued FTC alleging First and Fourth Amendment violations (February 17, 2025)
 - FTC denied motions to quash (March 23, 2026)
- State Attorneys General
 - Organizations advocating reduce/reuse/recycle may be violating the antitrust laws



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Lunch Break

State Legislative Monitoring and Advocacy



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State Legislative Monitoring

State Monitoring



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PCC 2026
Your work here affects alerts in this project.

Compact Expanded Filters

Show: All (Read and Unread) Sort By: Most to least relevant Export All

NJ A 3576 New Jersey • 7 days ago
Codifies and extends authorization for certain out-of-State health care practiti... [Show More](#)
Introduced • Introduction Date: Jan 13, 2026 • Last Action Date: Mar 16, 2026
Marked Unread by Laura Killalea on March 24, 2026
🔔 Matched 3 of your alerts

KS SB 530 Kansas • 15 days ago
Clarifying definitions of individuals who are subject to a state and national cr... [Show More](#)
Introduced • Introduction Date: Mar 9, 2026 • Last Action Date: Mar 10, 2026
Matched Alerts on March 10, 2026
criminal, history, professional, and 1 other phrase found in 4 passages

NH SB 656 / NH LSR 2026-3260 New Hampshire • 14 days ago
establishing a web-based occupational license application portal for veterans an... [Show More](#)
🟢 Passed First Chamber (Considering) • Introduction Date: Feb 4, 2026 • Last Action Date: Mar 18, 2026
Marked Unread by Laura Killalea on March 24, 2026
🔔 Matched 2 of your alerts

NJ S 4001 New Jersey • 4 days ago
Transfers oversight to certified nurse aides from DOH to Board of Nursing.
Introduced • Introduction Date: Mar 19, 2026 • Last Action Date: Mar 19, 2026
Matched Alerts on March 20, 2026
criminal, history, disqualification, and 4 other phrases found in 5 passages

State Monitoring



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PCC 2026 [↗](#)



Legislation • United States • Illinois • Bill

IL SB 3666

Reducing Barriers To Licensure

Introduced · 2025-2026 Regular Session

New Bills Actions

03/04/2026 Postponed - Licensed Activities

New Committee Hearings

03/11/2026 IL Licensed Activities March 11, 2026 at 01:00 PM CDT 400 Capitol Springfield, IL

State Monitoring



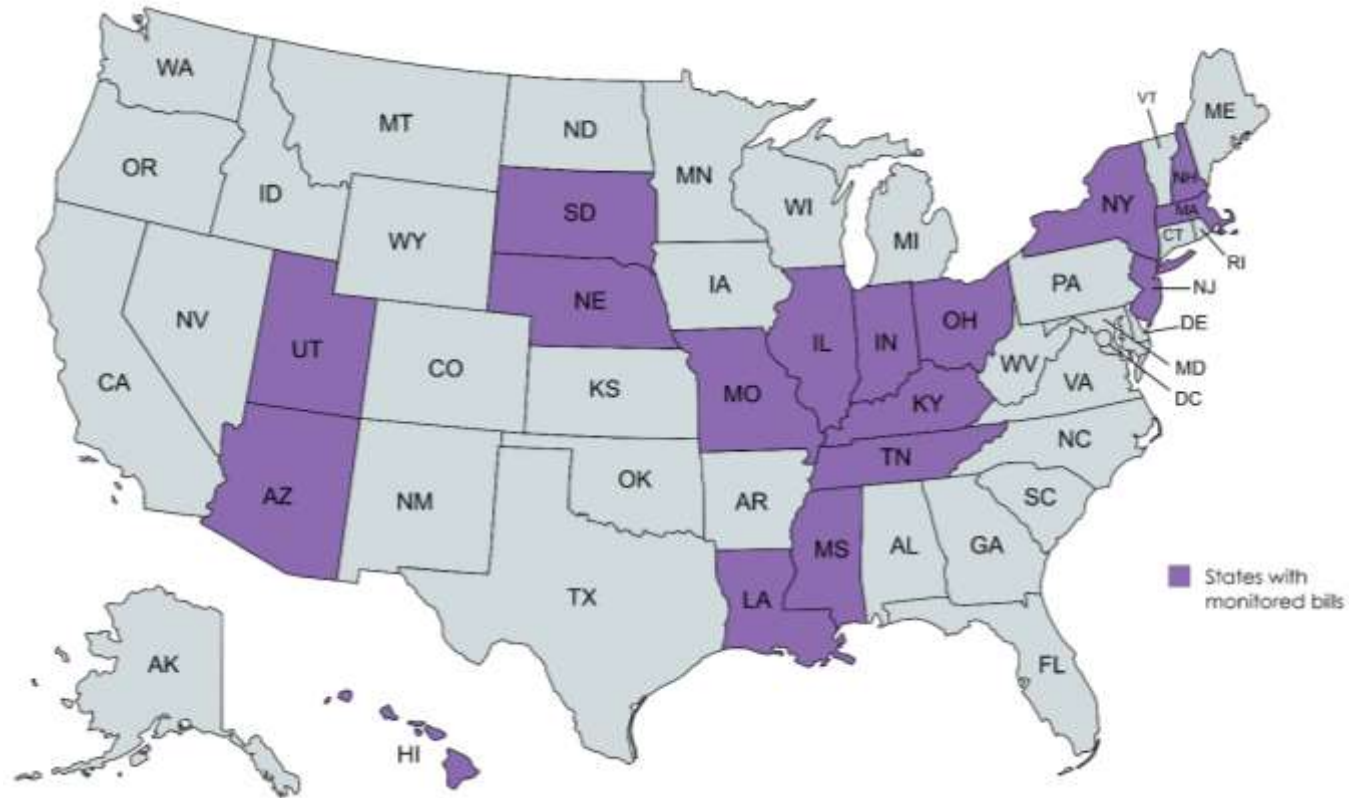
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State	Bill Name	Category	Priority (High, Medium, or Low)	Status (Prefiled, Active, Failed, Enacted)	Notes	Session End Date	Last Updated Date
KY	HB 185 / KY BR 7	Returning Citizens	Medium	Active		4/15/2026	3/19/2026
TN	SB 1692 / HB 1677	Alt. Pathways	Medium	Active	TN SB 1692	4/24/2026	3/19/2026
IL	HB 4762	Returning Citizens	Medium	Active	Companion to IL SB 3666	5/31/2026	3/19/2026
TN	HB 1677 / SB 1692	Alt. Pathways	Medium	Active	TN HB 1677	4/24/2026	3/18/2026
AZ	HB 2477	529	N/A	Active		4/25/2026	3/16/2026
UT	SB 174	First Amendment	High	Active		3/6/2026	3/13/2026
IL	SB 3666	Returning Citizens	Medium	Active	Companion to IL HB 4762	5/31/2026	3/12/2026
NH	HB 1340	Review and Repeal	High	Failed		6/30/2026	3/11/2026
TN	SB 226	First Amendment	High	Active		4/24/2026	3/10/2026
MO	SB 895 / MO 5036S.01	Alt. Pathways	Medium	Active	Companion to HB 2300	5/15/2026	3/10/2026
LA	SB 266	Review and Repeal	Medium	Active		6/1/2026	3/9/2026
TN	HB 470	First Amendment	High	Active		4/24/2026	3/4/2026
NE	LB 748	529	N/A	Active		4/17/2026	3/3/2026
MO	HB 2300	Alt. Pathways	Medium	Active	Companion to SB 895	5/15/2026	2/26/2026
NE	LB 634	Review and Repeal	Medium	Active		4/17/2026	2/20/2026
MO	SB 1279	529	N/A	Active		5/15/2026	2/11/2026
IL	HB 4920	Returning Citizens	Medium	Active		5/31/2026	2/6/2026
SD	HB 1033	Miscellaneous	N/A	Enacted		3/30/2026	2/6/2026
MO	SB 1439 / MO 5911S.01	Miscellaneous	High	Active		5/15/2026	2/5/2026
MS	HB 319	Returning Citizens	Medium	Failed		4/5/2026	2/3/2026
KY	HB 458 / BR 1604	Alt. Pathways	Medium	Active		4/25/2026	1/29/2026
MO	SB 1168 / MO 5072S.01	Returning Citizens	Medium	Active		5/15/2026	1/27/2026
AZ	HB 2294	Alt. Pathways	Medium	Active		4/25/2026	1/21/2026
KY	SB 78	Miscellaneous	High	Active		4/25/2026	1/15/2026
NE	LB 961	Returning Citizens	High	Active		4/17/2026	1/15/2026
MA	S 198	Returning Citizens	High	Active		7/31/2026	1/8/2026
MO	HB 2271	Commercial Cheating	Medium	Active		5/15/2026	1/8/2026
IN	HB 1366	Alt. Pathways	N/A	Failed	dn't meet crossover deadli	2/27/2026	1/8/2026
NY	S 2717	Alt. Pathways	Medium	Active	Companion to A 5960	6/4/2026	1/7/2026
NY	A 5960	Alt. Pathways	Medium	Active	Companion to S 2717	6/4/2026	1/7/2026
HI	SB 418	Review and Repeal	Medium	Active		5/8/2026	12/8/2025
OH	SB 311	Commercial Cheating	Medium	Active		12/31/2026	11/5/2025

State Legislative Monitoring



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State Legislative Categories

- Returning Citizens (7 bills)
- Review and Repeal (4 bills)
- First Amendment (3 bills)
- Alternative Pathways (9 bills)
- Miscellaneous (1 bill)



State Legislative Categories

- 529 implementation (8)
- Commercial cheating (2)

Commercial Cheating



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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF _____:

NEW SECTION. Sec. 1. The legislature finds that commercial cheating operations create serious risks to the health, safety and welfare of the public. By selling the obtainment of professional licenses to individuals who have not demonstrated the qualifications, knowledge or skills for these professions, commercial cheating operations serve no legitimate purpose and create dangerous and unnecessary threats for the public. Commercial cheating operations also pose serious threats to students, who can be threatened and extorted after paying for cheating services.

NEW SECTION. Sec. 2. As used in this Act, and except as otherwise provided, the following definitions shall apply:

(1) "assigned task" means any task assigned, directed, or otherwise given to a student, test taker, or candidate by a sponsor or its representatives, the performance on which will be evaluated for credit or licensure. The term "assigned task" includes, but is not limited to:

- (a) writing a term paper, thesis, dissertation, essay, or report;
- (b) providing responses to, participating in, or otherwise engaging in a test, whether in an academic setting or as part of certification, licensure, credentialing, or standardized testing program;

Commercial Cheating



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Credential
Integrity
Action
Alliance

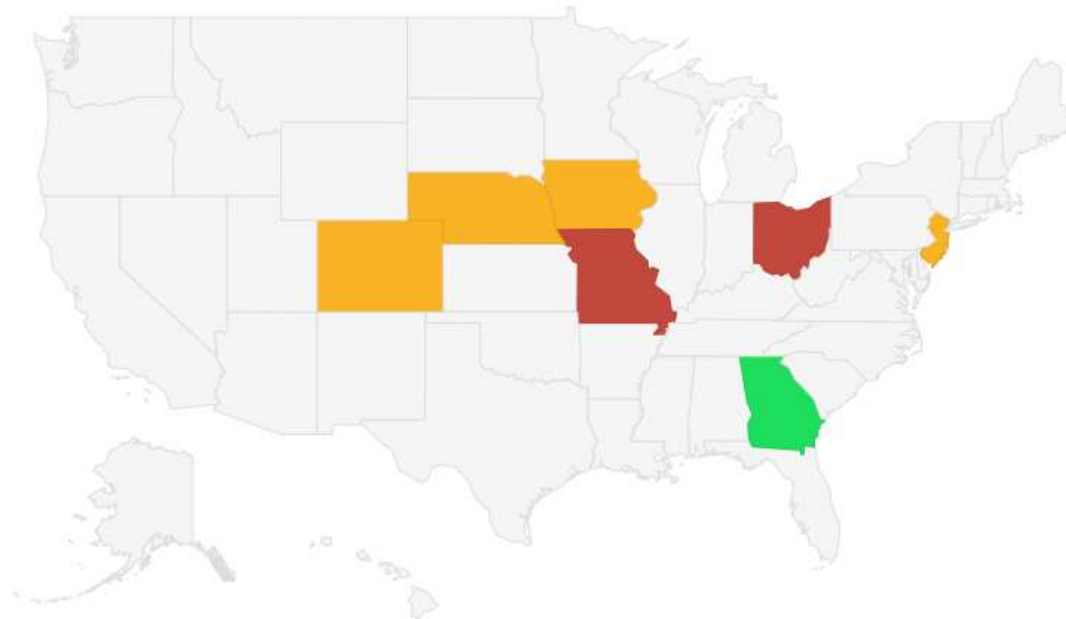
AT-A-GLANCE

■ Legislation Introduced

■ Showing Interest

■ Legislation Passed

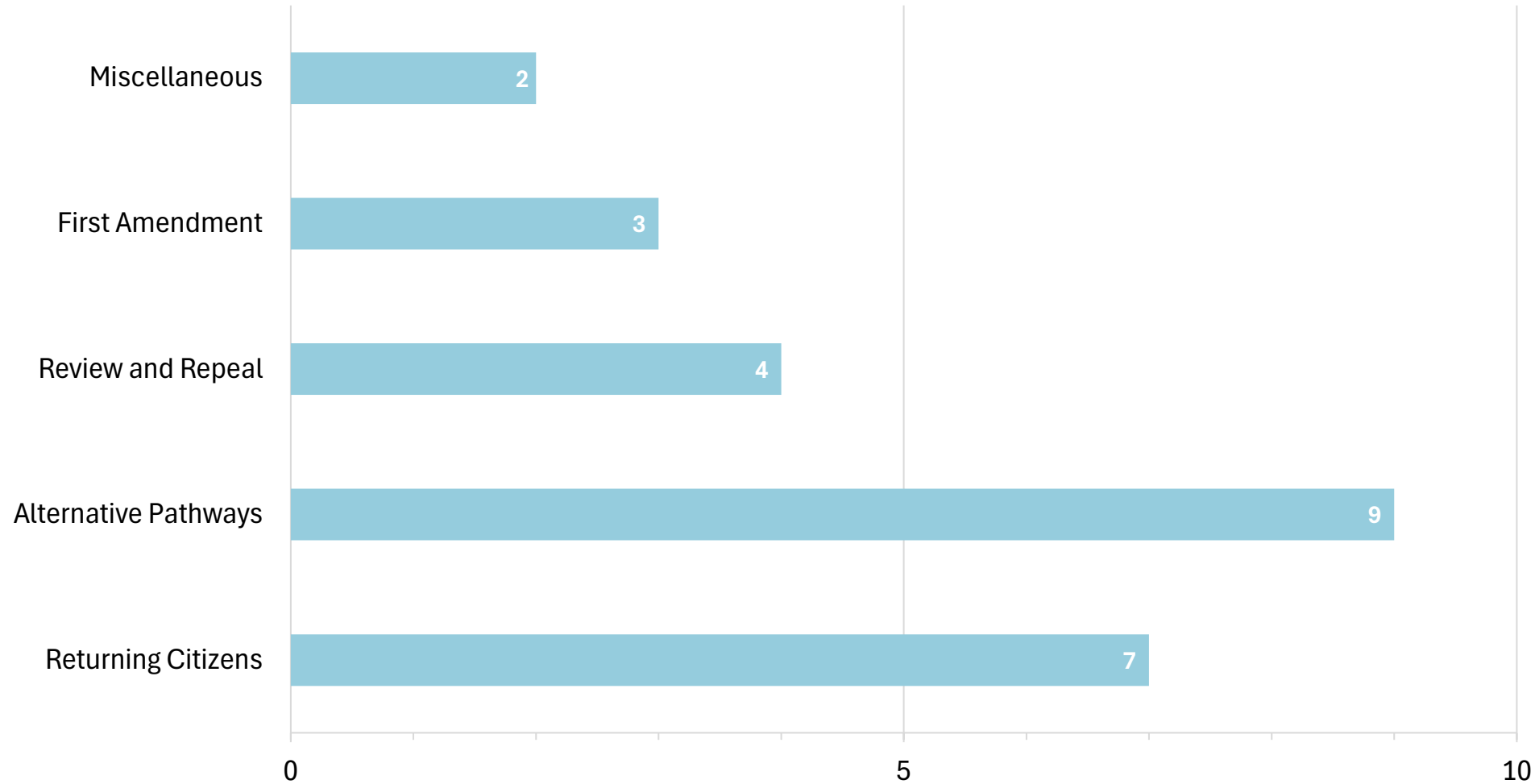
Legislation Tracker



State Legislation: Bill Categories



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High Priority Legislation



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State	Bill Number	Category	Status
Kentucky	SB 78	Miscellaneous	In first chamber
Massachusetts	SB 198	Returning Citizens	In first chamber
Missouri	SB 1439	Miscellaneous	In first chamber
Nebraska	LB 961	Returning Citizens	In Judiciary committee
New Hampshire	HB 1340	Review and Repeal	Failed
Tennessee	SB 226 / HB 470	First Amendment	In first chamber
Utah	SB 174	First Amendment	To Governor



Returning Citizens

- Aimed at reducing barriers to entry
- When drafted too broadly:
 - Restricts private certification organizations from enforcing their ethics codes or eligibility requirements
 - Places blinders on licensing agencies' consideration of certain crimes (like fraud) as well as relevant underlying conduct

Returning Citizens



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AN ACT RELATIVE TO INCREASING OPPORTUNITIES FOR EMPLOYMENT IN PROFESSIONAL LICENSURE

By Ms. Creem, a petition (accompanied by bill, Senate, No. 198) of Cynthia Stone Creem for legislation to further regulate professional and occupational licensing, Consumer Protection and Professional Licensure.

(b) Notwithstanding any other provision of law, a licensing authority shall not automatically bar an individual from a professional or occupational license because of a criminal record. A licensing authority shall provide individualized consideration of an individual's circumstances as described in subsections (d) and (e) to deny, diminish, suspend, revoke, withhold or otherwise limit a professional or occupational license.

Returning Citizens

February 25, 2026



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Sen. Michael J. Rodrigues, *Chair*
Ways and Means Committee
Michael.Rodrigues@masenate.gov

Sen. Joanne S. Comerford, *Vice Chair*
Ways and Means Committee
Jo.Comerford@masenate.gov

Re: Senate No. 198

Dear Senators Rodrigues and Comerford:

The Professional Certification Coalition (PCC)¹ writes regarding S 198. We respectfully request amendments to ensure that licensing agencies can carry out their statutory responsibilities, and to protect the public and the certification organizations that rely on licensure decisions.

The PCC agrees that having a criminal record should not stigmatize or automatically disqualify an individual from an occupational license. Safeguarding applicants against automatic disqualification from a license, however, does not require blocking licensing boards from holding applicants to the same conduct standards that apply to a current licensee. **Issuing a license conveys the state's endorsement that an applicant is fit to practice the profession without jeopardizing public health, safety, and welfare. Licensing boards must be able to make decisions that hold applicants and current licensees to consistent disciplinary standards.**

Review and Repeal



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- Variations on review and repeal bills:
 - Bills that allow individuals to challenge regulations and with the burden on the agency to defend the need for it
 - Bills that require a review of licensing agencies and regulations and either recommend or require repeal
 - Bills that set up a schedule for a list of occupational boards to automatically repeal

Review and Repeal



5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 37:23.5 is hereby enacted to read as follows:

7 **§23.5. Judicial review of a statutory requirement for an occupation license**

8 **A petition may be filed in a court of competent jurisdiction to request**

9 **judicial review of a statutory requirement for an occupational license to**

10 **determine whether the statutory requirement burdens entry into a profession,**

11 **trade, or occupation and whether the statutory requirement is necessary and**

12 **narrowly tailored to fulfill legitimate fiduciary, public health, safety, or welfare**

13 **objectives.**

Alternative Pathways



6 § 3. Subsection (d) of section 2136 of the insurance law, as added by
7 chapter 687 of the laws of 2003, is amended to read as follows:

8 (d) (1) the applicant's home state awards nonresident insurance
9 producer licenses to residents of this state on the same basis as
10 provided in this subsection; or

11 (2) the applicant is the spouse of a member of the armed forces of the
12 United States, national guard or reserves.

13 § 4. Section 442-g of the real property law is amended by adding a new
14 subdivision 1-a to read as follows:

15 1-a. No nonresident applicant who is the spouse of a member of the
16 armed forces of the United States, national guard, or reserves regularly
17 engaged in the real estate business as a vocation, who maintains a defi-
18 nite place of business and is licensed by any other state, territory,
19 protectorate or dependency of the United States, shall be required to
20 maintain a place of business within this state. The commission shall
21 recognize the license issued by another state to an applicant who is the
22 spouse of a member of the armed forces of the United States, national
23 guard, or reserves as qualification for a license in New York, provided
24 that such license was granted in compliance with standards which were,
25 in the judgment of the secretary, not lower than those of this state.

Alternative Pathways



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- Safe harbor provision:

“Notwithstanding any other provision in this section, if the occupational licensing rules of the regulating authority require applicants to hold a current and valid private certification, **the regulating authority 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.”

Alternative Pathways



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20 maintain a place of business within this state. The commission shall
21 recognize the license issued by another state to an applicant who is the
22 spouse of a member of the armed forces of the United States, national
23 guard, or reserves as qualification for a license in New York, provided
24 that such license was granted in compliance with standards which were,
25 in the judgment of the secretary, not lower than those of this state.

PCC Priority Bills

Utah SB 174

- Provides that a health care provider has a right of religious belief or conscience that permits the health care provider to refuse to provide or participate in a healthcare service that violates the health care provider's religious beliefs or conscience
- "*Conscience*" means a sincerely held belief as to the rightness or wrongness of an action or inaction.

Utah SB 174

- Prohibits discrimination or adverse action against a person in retaliation for the person exercising the person's right of religious belief or conscience
- **"Adverse action" means: ... (vi) refusal of board certification...**
- **"Discriminate" when used in relation to a health care provider means taking an adverse action, or threatening to take an adverse action, against the health care provider as a result of the health care provider: (a) deciding to not participate in a health care service on the basis of religious belief or conscience...**
- **"Health care service" means medical care provided to a patient.**

Utah SB 174

- Notice of refusal on religious belief or conscience grounds must be posted on provider's website and in reception area and provided in advance to employer.
- No requirement of direct verbal or written disclosure to the patient or referral to others who can provide care, in contradiction to medical ethics standards.



Utah SB 174

The testimony suggests that the legislation merely gives an “enforcement mechanism” to existing federal law.

But its impact is greater – and reaches the certification community.



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Utah SB 174

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.**



Utah SB 174

- Confers legal protection on providers to violate codes of many licensing boards, health care employers, and certifying bodies that grant credentials in the health care field
- Employees of private credentialing bodies could face enforcement actions or litigation for denying or revoking the certification of an individual who violates professional standards of care and ethics



Utah SB 174

- Status: **passed** – sent to Governor

New Hampshire HB 1340



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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT limiting occupational regulations to those demonstrably necessary to achieve public health, safety, or welfare objectives.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Short Title. This act may be known as and cited to as the "Right to Earn a Living Act."

2 Findings and Purpose. The legislature hereby finds and declares that:

I. The right of individuals to pursue a chosen business or profession, free from arbitrary or excessive government interference, is a fundamental civil right.

II. The freedom to earn an honest living traditionally has provided the surest means for economic mobility.

III. In recent years, many regulations of entry into businesses and professions have exceeded legitimate public purposes and have had the effect of arbitrarily limiting entry and reducing competition.

IV. The burden of excessive regulation is borne most heavily by individuals outside the economic mainstream, for whom opportunities for economic advancement are curtailed.



New Hampshire HB 1340

V. It is in the public interest:

- (a) To ensure the right of all individuals to pursue legitimate entrepreneurial and professional opportunities to the limits of their talent and ambition;
- (b) To provide the means for the vindication of this right; and
- (c) To ensure that regulations of entry into businesses and professions are demonstrably necessary and carefully tailored to legitimate health, safety, and welfare objectives.

New Hampshire HB 1340



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Rep. Erica Layon, *Chairman*

Erica.Layon@gc.nh.gov

Executive Departments and Administration
Committee

Rep. Jeremy Slottje, *Vice Chairman*

Jeremy.Slottje@gc.nh.gov

Executive Departments and Administration
Committee

Re: HB 1340

Dear Representatives Layon and Slottje:

The Professional Certification Coalition (PCC)¹ writes to raise concerns regarding the potential negative effects of HB 1340, the “Right to Earn a Living Act.” The PCC strongly opposes the bill’s proposals to mandate the repeal of existing occupational licensing regulations unless an extremely high evidentiary standard is met and permits a private cause of action allowing individuals to challenge those regulations in court. If enacted, these proposals could have an adverse effect on the health, safety, and welfare of New Hampshire citizens who trust the state to protect the public from low-quality or harmful services, and could also compel the state to expend taxpayer dollars unnecessarily. **For these reasons, the PCC opposes HB 1340, and requests that you withdraw or significantly amend the legislation to protect New Hampshire citizens.**



New Hampshire HB 1340

- Status: **failed** – inexpedient to legislate.

Missouri SB 1439



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AN ACT

To amend chapter 1, RSMo, by adding thereto one new section relating to government restrictions on the ability of a person to earn a living.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 1, RSMo, is amended by adding thereto
2 one new section, to be known as section 1.340, to read as
3 follows:

1.340. 1. This section shall be known and cited as
2 the "Missouri Entrepreneurial Freedom Restoration Act".

3 2. The general assembly finds and declares the
4 following:

5 (1) The right of individuals to pursue a chosen
6 business interest, occupation, trade, or profession free
7 from arbitrary, unreasonable, or excessive government
8 interference is a fundamental right;

Missouri SB 1439



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8. A person whose right to earn a living has been burdened in violation of this section may assert that violation as a claim for relief in a court of competent jurisdiction in this state and as a defense in any judicial or administrative proceeding. A court may issue declaratory, injunctive, or other equitable relief, and nominal damages to any person who proves a violation of this section.

9. A person intending to engage in a specific business, profession, occupation, or trade but hindered from working by a burden on the right to earn a living, whether or not currently engaged in a specific business, profession, occupation, or trade, shall have standing to bring a claim or defense asserting a violation of this section without being required to first apply for, obtain, or be denied a relevant occupational license or certification.

Missouri SB 1439

- Status: **active** (first chamber) – referred to Senate Government Efficiency Committee

Nebraska LB 961

- Allows individuals with convictions affecting licensure to petition the court of conviction for a “Certificate of Qualification for Employment”
- Requires the court to grant the petition if the petitioner has remained conviction-free for a specified period of time and unless the court finds by clear and convincing evidence that granting the petition would pose “an unreasonable risk to public safety”
- Provides that upon issuance of a CQE:
 - Mandatory collateral sanctions relating to occupational licensing are lifted;
 - Licensing authorities may not reconsider or reject factual findings made by the court in granting the certificate.

Nebraska LB 961



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8 **Sec. 7.** (1) There is a rebuttable presumption that a petition for a
9 certificate of qualification or employment shall be granted if:
10 (a) The conviction does not involve any Class I, IA, IB, IC, ID, or
11 II felony; and
12 (b) The petitioner has not been convicted of an offense or charged
13 with an offense during the following periods:
14 (i) If the individual has already received a set aside under section
15 29-2264 or the court will grant a petition for a set aside at the same
16 proceeding, the period of one year preceding the date the petition would
17 be granted; or
18 (ii) If subdivision (1)(b)(i) of this section does not apply:
19 (A) The period of five years preceding the date the petition would
20 be granted for a conviction involving one or more felonies; or
21 (B) The period of three years preceding the date the petition would
22 be granted for a conviction involving one or more misdemeanors and no
23 felonies.



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Nebraska LB 961

- Status: **active** (unicameral legislature) – referred to Legislative Judiciary Committee

Interesting Bills *Not* on Our Watchlist



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Maryland House Bill 1536, the
Maryland Enforcement Limits and
Transparency (MELT) Act

MARYLAND News

Trio of immigration bills face little opposition, cruise through Judiciary hearing

GOV & POLITICS, IMMIGRATION, COURTS & JUSTICE | Mar 12, 2025 | 12:24 am ET | By Rhiannon Evans

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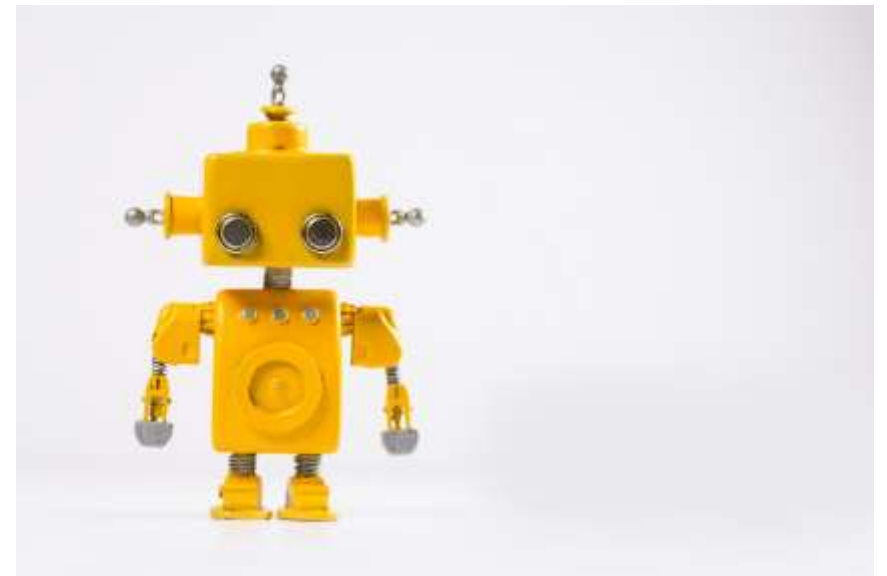


Interesting Bills *Not* on Our Watchlist



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- Illinois SB 3601
- Requires any person licensed in a regulated to “prominently disclose” to any paying customer/client their use of AI.
- Licensee must disclose their use of AI at the start of a conversation (whether it’s verbally or in writing) and notify the person of the specific purpose of the AI that will be used in the interaction.



Pipeline Challenges: Panel Discussion

Panelists:

Mary Blatch, Esq; Associate General Counsel, Global Regulatory and Data Privacy, CFA Institute

Dawn Morton-Rias, EdD, PA-C, ICE-CCP, FACHE; President & CEO of the National Commission on Certification of Physician Assistants (NCCPA)

Barbara Williams, DrOT, MS, OTR; Vice President, External & Regulatory Affairs, National Board for Certification in Occupational Therapy (NBCOT)



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Pipeline Challenges



Targeting of efforts to expand opportunities for underrepresented populations;
employer restrictions on professional support



Aggressive immigration enforcement;
high fees for H1-B visas



Department of Education's restrictive definition of professional programs for
federal loan limits



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Networking and Snack Break



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Breakout Roundtable Discussions



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Thank you!

Please join us for a cocktail reception!