



PROFESSIONAL
CERTIFICATION
COALITION

April 15, 2026

Assemblymember Dan Hutchison, *Chair*
Assembly Regulated Professions Committee
asmhutchison@njleg.org

Assemblymember Al Abdelaziz, *Vice Chair*
Assembly Regulated Professions Committee
asmabdelaziz@njleg.org

Re: NJ A4208

Dear Assemblymembers Hutchison and Abdelaziz:

The Professional Certification Coalition (PCC)¹ writes regarding A4208. The PCC in no way supports discrimination in licensing and agrees that licensing requirements that are applied inconsistently and unreasonably and that are unrelated to the profession that is being licensed should be reconsidered. The PCC respectfully suggests, however, that A4208 be amended to place the burden on a potential plaintiff of establishing both a statistically significant disparate impact and that a policy or practice relating to training, education, experience, or examination, or the quality of services provided is not based on legitimate, bona fide factors. In addition, given the invaluable and objective measures of profession-related competencies that private certifications provide, **the PCC urges that the legislation be amended to include a safe harbor provision for licensing requirements for 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, if at least two-thirds of states recognize that private certification as a qualification for initial licensure in the profession.**

In its current form, A4208 would incentivize individuals to challenge occupational licensing regulations, inviting administrative burden and expensive litigation – a cost that taxpayers would absorb. Because few, if any, licensed professions have demographic profiles that precisely mirror the demographics of the population, almost any licensing requirement would be subject to legal challenge on the basis that the process results in a disparate impact based on race or ethnicity – regardless of which race or ethnicity is overrepresented in that licensed profession. Although, as the bill is currently structured, the licensing agency could defend against the lawsuit by establishing defenses such as that the requirements are reasonably applied and based on legitimate factors, the agency could still be embroiled in further costly litigation if the plaintiff

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.

argues that alternative policies would serve the same purpose without producing the disparate impact. The threat and likelihood of litigation, and the cost burden of the resulting legal expenses, would worsen budgetary pressures on the state to eliminate occupational licensure wherever feasible, even when doing so would not be in the best interest of New Jersey residents.

For example, licensing laws for health care professions in every state require that applicants have completed accredited training for the profession and have passed national licensing examinations or earned national private certifications in the profession as a condition of licensure. Yet any plaintiff could argue that an apprenticeship model might serve the same purpose without producing a disparate impact. But whether an apprenticeship model would be an adequate alternative should be an issue for the legislature to decide, not for a court to weigh. With respect, the PCC suggests that the legislature and state agencies should instead take a leadership role in carefully considering whether any specific occupational licensure requirements may be unduly restrictive, rather than spurring litigation battles for judges to resolve. **For these reasons, the PCC must oppose this bill unless it is amended to include the amendments proposed herein.**

The amendments the PCC proposes would help licensing agencies support the health, safety, and welfare of New Jersey citizens who trust the state to protect the public from low-quality or harmful services, and the safe harbor provision would avoid frivolous lawsuits for licensing laws in which the qualifications for a profession are well-established and widely shared. Certification examinations, for example, are psychometrically validated as assessing whether the examinees have demonstrated that they have the knowledge, competencies, or skills needed to meet the standards of the profession. Professional certifications, therefore, are valid, legitimate, and bona fide measures of qualification relevant to the occupation, and, for that reason, many licensing agencies incorporate private professional certifications into the required qualifications for licensures. These standards are designed to ensure that an applicant or licensee is fit to practice the profession without jeopardizing public health, safety, and welfare. New Jersey's licensing agencies must be able to make decisions that hold applicants and current licensees to consistent eligibility and disciplinary standards.

The PCC stands ready to work with lawmakers who seek to craft legislation that strikes a reasonable balance between the benefits of occupational licensing and the desire to ensure that licensing and certification decisions on made on an equitable and nondiscriminatory basis. 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 (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)

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)

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