Episode 5: Occupational Licensing Policy Learning Consortium
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Line Dempsey: Welcome to our podcast, Regulation Matters: a CLEAR conversation. I'm your host, Line Dempsey. I'm the senior investigator with the North Carolina Dental Board, and I am the current chair of the National Certified Investigator Training committee with CLEAR. For those of you joining us for the first time, the Council on Licensure, Enforcement and Regulation (or CLEAR) is an association of individuals, agencies and organizations that comprise the international community of professional and occupational regulation. Our podcast is a way for you to stay current on recent areas of interest in the regulatory community. Today, I'm joined by Suzanne Hultin, program director for the employment, labor and retirement program with the National Conference of State Legislatures. Welcome, Suzanne.

Suzanne Hultin: Thank you, thank you very much.

Line: And thank you so much for joining me. So, today's topic is an update on the Occupational Licensing Policy Learning Consortium. If you would kind of take me through what's going on.

Suzanne: Yeah, my pleasure. Well, I'll tell you a little bit about the occupational licensing project. The National Conference of State Legislatures (NCSL), in partnership with the National Governors Association Center for Best Practices and the Council of State Governments, were awarded a grant from the US Department of Labor's Employment and Training Administration in early 2017, and specifically this project is to help states identify existing or new licensing requirements that might be overly burdensome and create unnecessary barriers to labor market entry and also help improve the portability of licenses across state lines. An additional focus of this project is to look at four different population groups who face unique challenges and barriers when it comes to entering the labor market in a licensed occupation or moving across state lines. And so, those population groups are military veterans and their spouses, people with a criminal record, immigrants with work authorization, and dislocated long-term unemployed workers. And essentially the three-year project is really divided into two different areas. One, we have the Learning Consortium, which is a group of eleven states that we are working with to help them identify action steps and issues that they want to address in their states around occupational licensing and improving portability issues. And then the other part of the project is the research that the partner organizations are conducting, and so we've put out a couple of different reports on occupational licensing in general and blogs on what's going on

in state legislatures around this area and then we're also in the process of working on some additional reports.

Line: Great, well, I guess there's eleven states, if I heard you correctly, that are a part of the Consortium.

Suzanne: Yes, that is correct. And so, through a competitive application process last summer, the three partner organizations did select 11 states to be part of the Consortium; and so those states are Arkansas, Colorado, Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Nevada, Utah, and Wisconsin. And so, as a consortium state, each state sends a team of people to three different multi-state learning meetings, one in each year of the project. So we held one in 2017 and we're in the process of planning our 2018 multi-state learning meeting. And at these meetings, they hear from national experts on occupational licensing, portability issues as well as the four different population groups.

And they also have the opportunity to network and connect with one another and learn how their states compare and what are some of the common issues and challenges that they may all face. The state teams also receive facilitation from members of the three partner organizations in helping them create and implement a set of actions in their states to address the goals that they have outlined around occupational licensing. And then the Consortium states also receive technical assistance in their states in terms of bringing experts in to meet with the larger stakeholder group or possibly testify on a piece of legislation that might be brought up.

Line: And as I understand it, I think Cory Everett, our current president with CLEAR, actually spoke at the recent meeting in December, is that correct?

Suzanne: Yes, that is correct. CLEAR is one of the members of our panel of experts that we have convened to help advise the partners as well as the Consortium states on this project. So Cory did present. I know she's been to a couple of other states of the Consortium to talk a little bit more about some of the research and what CLEAR does, so she's been great to have on the expert panel.

Line: That's awesome. So what kind of trends are you seeing with the 11 states that are part of the group? And then also, I guess, maybe what's happening with the states around those eleven?

Suzanne: Yes of course. So, every state is obviously very different, and how they are choosing to address some of the barriers and portability issues are also very different and vary among the states, but we are seeing a couple of trends. First off, a lot of states have been looking at how to improve access to employment for military veterans and spouses. Military spouses face unique challenges, as they tend to move across state lines and in order to work in a licensed occupation, this could sometimes mean paying for new licensing fees or taking additional tests or spending hours in a classroom in order to practice their same licensed occupation but in a new state. And so, a lot of states have addressed this population this year, and some of these states are looking at reducing and

eliminating licensing fees for military spouses or just recognizing their prior license from another state. So we have a lot of Consortium states that are looking at that, but more broadly, a lot of states are looking at that issue.

Another area that the Consortium states are interested in is helping people with a criminal record get back into the job market and into licensed occupations. Many states and occupational boards have bans on who can get a license due to a past criminal record, regardless of the relevancy of the crime to practice in a specific occupation. And so a handful of the Consortium states have enacted legislation this year to expand job opportunities in licensed occupations for people with a criminal record. So this could mean preventing licensing agencies from considering arrests that did not lead to convictions or denying licensing requests on the basis of a prior conviction unless there is some sort of direct relationship to the type of crime and the occupation.

We have also been seeing among our Consortium states some interest in more structural changes, so looking at creating possible sunrise or sunset provisions in their states if they do not already have those. And then finally, a handful of Consortium states, as well as more broadly other states, are looking at reducing requirements to entry in licensed occupations, so reducing licensing fees or training hours or even continuing education requirements for certain occupations.

Line: Interesting. So what do you guys have planned for the second half of this project, and maybe moving forward from that, what can we hope for for the future?

Suzanne: Yes. So first off, we have four different reports coming out - a series of reports at the end of July, which will be focusing on the unique barriers and challenges that these four different population groups face when it comes to entering licensed occupations, or the portability piece. And so we're really excited to be working on those and have those out. Again, we will be convening the 11 Consortium states likely in late November. And so, they'll have another opportunity to continue working on their action plans and the implementation of those and then again talking with the other Consortium states about some of the challenges and issues that they have going on. And then in December 2019, the partners will release a final report on the three-year project, but we realize that for many states, it will take more than just three years to address some of the barriers and issues around occupational licensing. NCSL does plan on continuing to work in this area beyond the DOL-funded project, and we also have ongoing blogs and resources that we're updating regularly on issues in the states.

Line: Well, speaking of the blog, that's where I think I found a lot of information about the National Conference of State Legislatures and their actual blog related to this, but, I guess, where can our members find out more information about the progress of this work?

Suzanne: Yes, of course, it's all at the NCSL website, so it's ncsl.org/stateslicense. And we regularly update that with additional information, so we have blog posts and press releases we might put out. We have two different databases that track occupational licensing across states, whether it's

legislation-wise, or just what are the differences and discrepancies in licensing requirements across state lines. And then we also have webinars and other informational reports that we put up on there, so we're regularly updating it as well as putting up information about the 11 Consortium states.

Line: Great, well that's very helpful. I wanna thank you, Suzanne, for your time today and being part of our CLEAR podcast. It's wonderful to have this opportunity to share and learn from each other and get a feeling for what's happening around the states and around the world.

And thank you to our listeners. We'll be back with another episode of Regulation Matters: a CLEAR conversation very soon. Please subscribe to our podcast on Podbean, also available on iTunes, on Apple Podcast, on Google Play, Stitcher, Spotify or TuneIn, so many of the places where you would normally find your podcast, we're available there. You can also leave comments and feedback with any of those apps I mentioned earlier, so feel free to visit our website at www.clearhq.org for additional resources and a calendar of upcoming training programs and events. Finally, thanks to CLEAR staff, specifically Stephanie Thompson, content coordinator and editor for our program. I'm Line Dempsey, and I hope to be speaking with you again soon.

The audio version of this podcast episode is available at https://podcast.clearhq.org/e/occupational-licensing-policy-learning-consortium.