



**Regulation Matters:  
a CLEAR conversation**

## **Episode 87: Regulatory Environmental Scan – Emerging Issues from CLEAR’s Committee Meetings March 11, 2025**

**Line Dempsey:** Welcome back to our podcast, Regulation Matters: a CLEAR conversation. Once again, I’m your host, Line Dempsey. I am currently the chief compliance officer with Riccobene Associates Family Dentistry here in North Carolina, South Carolina, and Virginia. I've also been a board member and past-president of CLEAR.

As many of you are aware, 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. This podcast is an opportunity for you to hear about important topics in our regulatory community.

During CLEAR’s recent midyear business meetings in Savannah, we conducted an environmental scan and asked our committee members about the top trends or issues they’re seeing in professional regulation or in their jurisdictions. Committee members often comment that these environmental scans are the most valuable part of CLEAR’s committee meetings. We’d like to use the CLEAR podcast as a way to highlight the issues and trends mentioned during these environmental scans and share this benefit more widely, connecting more members with the committees’ activities and discussions.

As always, we covered a lot of ground during the committee meetings, with discussion topics ranging from fraud in licensing to pathways for internationally trained professionals to newer business models whose services intersect with licensed professionals. Let’s hear from some of our committee members.

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**Lauren Beheshti:** We are grateful to be here today talking about routes to licensure for internationally trained professionals, specifically in the Utah context. My name is Lauren Beheshti. I am a research and policy consultant with Utah's Division of Professional Licensing, and I'm joined here by my colleague Alexander Bybee, who manages the internationally trained applicant credentialing program. How are you doing, Alexander?

**Alexander Bybee:** I'm so good. Thanks for asking.

**Lauren:** Awesome. Well, I have a couple questions for you just to help us get to understand and get to learn more about what Utah's doing. So here's my first question. Can you just walk us through really how Utah is trying to establish pathways for this population, really kind of what's going on in Utah?

**Alexander:** Absolutely. The Division of Professional Licensing regulates the majority of licenses in the state of Utah. So we oversee over 60 different professions. And then for each profession, we have an advisory board that helps DOPL to oversee the profession and guide us in best practices in the specifics.

And over the last few years, we've had some exciting pieces of legislation get passed. And the legislation is written in what we call our umbrella act, or the part of the law that oversees all professions. And so this law first applied to a good portion of the professions that we regulate. And then it was tweaked over the next two years to apply to all the professions that we regulate, everything from medical to construction to cosmetology. And so there's a lot of work for us to implement this law. And so in order to start, we follow a framework that we've developed to help us select a few professions to prioritize. And the base of that framework is addressing labor shortages and also to best assist the immigrant community in Utah.

And so our small team works to do research and collaboration with our boards in order to implement these laws in those priority professions. And we follow a regimented process so that we're ensuring that we get all the stakeholder input that we need to implement this the best way possible. And it's been really exciting to already see some of the fruits of that labor already.

**Lauren:** Ooh, that's interesting. I kind of wanna hear about that. That leads me to my next question. So that's a good segue. What are the successes you've seen so far?

**Alexander:** So we've already started issuing licenses in construction trades, behavioral health, some in healthcare and cosmetology. I've been very excited for the profession of clinical mental health counseling, as we've issued a handful of licenses there, especially being able to see that the people receiving these licenses are often bilingual and able to assist or reach further into the community and help the state with mental health needs.

And also, we just recently did some community outreach letting people know about a new pathway for electricians. And I've heard many times how great a need there is for more people in that profession and in other areas of the construction trade. So a really exciting time to help those different areas of work.

**Lauren:** Awesome. So cool. It sounds like DOPL and the boards have been able to establish pathways in behavioral health and some of the construction trades, electricians, some healthcare. What about the challenges? What are kind of some of the pinch points or barriers that you've run into?

**Alexander:** Yeah, I think it's pretty natural that it's gonna be harder in the higher skilled professions, any professional that requires more education and more experience. We're still working, or even just starting, in areas like for physicians and dentists and other highly trained professionals. And then across all the professions, it's difficult to make changes. You know, we work hand in hand with our boards and other stakeholders, and it's important that everyone is on the same page and is supportive.

Change is difficult, especially when it comes to recognizing or evaluating foreign education. I think a lot of the times there's an assumption that education and training outside of the United States is lesser than; and in some cases that's true and in many cases it's not. And so it's important to develop pathways that effectively evaluate if somebody meets the requirements and, if not, specify what should be made up in order to be on par.

**Lauren:** That makes sense. That's really exciting. Well wrapping up here, looks like we have time for one or two more quick questions. What else would you say people listening should know about Utah and its efforts to integrate internationally trained professionals?

**Alexander:** I am really proud of and excited to be living in Utah at this time. We're experiencing a lot of growth and there's also a lot of new needs because of that growth. And our team gets to play an important part in assisting Utah in its continued growth and integration of new Americans. So Utah has a specific history of being welcoming to people who are fleeing persecution or economic hardship. Utah was settled by pioneers who were doing that, and Utah maintains its legacy of helping and integrating these important members of our community. And so it's been really wonderful to have support on so many levels to execute this work.

I'd also encourage people to learn more by visiting our website, [dopl.utah.gov](http://dopl.utah.gov), and also following us on social media. You can find Utah Commerce on multiple different social media pages.

**Lauren:** Terrific. Thank you so much, Alexander. We look forward to seeing what comes with this exciting work. And thanks so much for your time today.

**Alexander:** Thank you.

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**Jimi Bush:** My name is Jimi Bush and I'm the director of Quality and Engagement with the Washington Medical Commission located in Washington State. In Washington, we have seen IV hydration clinics

surge in popularity, catering to a diverse clientele seeking quick relief from dehydration, hangovers, fatigue, and even the desire for improved athletic performance. While these clinics can offer valuable services, they also present a range of potential dangers for the license holders and the people they serve.

And from a regulatory standpoint, the responsibilities and jurisdictions, at least in Washington, are divided by a murky line. One of the foremost dangers in operating an IV hydration clinic is navigating the complex landscape of health care regulations. IV hydration therapy is considered a medical procedure, and clinics must adhere to the state and federal regulations regarding medical practice. Failure to comply with licensing requirements, medical oversight, and proper facility standards can lead to severe penalties, including loss of license and legal repercussions.

While many patients may perceive IV hydration as a harmless treatment, the procedure carries inherent risk. Complications such as infections due to improper sterilization or technique can lead to a serious infection at the insertion site. And administering too much fluid can result in a pulmonary edema or heart failure, particularly in patients with pre-existing conditions. There's also a complication of an electrolyte imbalance. Incorrect formulas or dosages can disrupt electrolyte levels, leading to potentially life-threatening conditions. Physicians must ensure through assessment and that these thorough assessments are conducted before treatment to minimize these risks.

Obtaining informed consent is crucial but can be challenging in the context of IV hydration therapy. Patients often seek these treatments for wellness rather than medical necessity, and they may not fully understand the potential risks involved. Physicians must ensure that the patients receive comprehensive information about the procedure, possible complications, and alternative treatments to mitigate legal risks associated with inadequate informed consent.

One of the major concerns as a regulator is the quality of care and training. The staff at an IV hydration clinic may not always have the same level of training as traditional medical professionals. This can lead to inconsistency in patient care and safety practices. While the Washington Medical Commission does not hold jurisdiction over the facility itself, we are encouraging our providers to know and mitigate the risks. To successfully navigate the dangers associated with operating an IV hydration clinic, physicians can implement several strategies including comprehensive training by ensuring that all staff are thoroughly trained in IV hydration therapy techniques, emergency procedures, and patient assessment. Regular training updates can help maintain high standards of care. License holders should also establish clear protocols. Developing and enforcing standardized protocols for patient assessment, treatment administration, and emergency response can reduce the risk of complications. And it's been said before, but conducting a thorough patient screening is really important in protecting your patients. The professionals must conduct comprehensive medical evaluations to identify contraindications and assess each patient on an individual basis. This step is critical in preventing adverse reactions.

And finally, if a license holder is becoming involved, whether it's owning or overseeing an IV hydration clinic, regulators should encourage them to seek legal consultation. Consider consulting with legal experts specializing in healthcare to ensure that your clinic adheres to all necessary regulations and to protect against liability issues.

Now, operating an IV hydration clinic can be a rewarding venture, but it comes with its own set of challenges and dangers. By understanding these risks and taking proactive steps to mitigate them, regulators can provide a safe and effective environment for their license holders and their patients as the demand for IV hydration services continues to grow. As they continue to grow, so does the responsibility of those providing them to uphold the highest standards of practice.

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**Jennifer Garrett:** Hi, my name is Jennifer Garrett. I'm the Deputy Secretary at the Wisconsin Department of Safety and Professional Services. We're an umbrella agency that regulates occupational licensing and some other program areas. I'm involved with the Regulatory Affairs Committee and the International Relations Committee with CLEAR.

One of the things that we are seeing in our jurisdiction or in our state is a proliferation of non-traditional health care facilities, so things like IV clinics and ketamine clinics. We're also seeing a rapid expansion of the services offered at med spas, which are also similarly operated as the IV clinics and ketamine clinics. And we're starting to hear concerns and are fielding some complaints around the practices at these facilities.

Because the facilities don't meet state requirements for the Department of Health Services medical facility regulation, the facilities themselves aren't regulated. So that means there's no standards in place for plumbing, for equipment storage, and general operations within these facilities. The only regulations that are in place are standard building codes and the occupational regulations for any licensed individual practicing within them.

This has become a concern for several of our regulatory boards, and so we have created an interdisciplinary advisory council with delegates from multiple boards-- the Medical Examining Board, the State Board of Nursing, the Pharmacy Examining Board, the Dental Examining Board, and others. They meet quarterly, I believe, and evaluate issues that are coming in front of them in order. So they've identified a list of things that they want to address, and they started with IV clinics, and in the end, they plan to produce some recommendations that each of their related boards will consider.

This Advisory Council is an advisory council, so it doesn't have any legal, regulatory authority. However, their recommendations are going to be considered by the regulatory boards and may lead to guidance or other actions by the boards. We think that this is a really good time to begin this work. The boards themselves have been asking for a while to engage across discipline, and our department hasn't had the resources or flexibility to support that work previously, but we do now. And given the

environment and the explosion in this industry, we think the timing is right. So we are eager to see what outcomes there are from their work and what kind of stakeholder engagement there is with their meetings.

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**Tammy Kohut:** My name is Tammy Kohut. I am the CEO and Registrar at the College of Opticians of Alberta in Canada. And we've been talking a little bit about just different regulatory trends that we've been seeing. And something that we've noticed is actually the increase in medi spas or the use of medical aesthetics in the healthcare industry.

And it is interesting because with opticians specifically, it wouldn't be considered part of their scope of practice here. But we're still seeing this as a trend. Medical aesthetics in Alberta isn't necessarily regulated by one college specifically; in fact, many of the procedures or skills might not even be within the regulated member's scope of practice, but there may be some legislation that allows for those procedures to be done by a non-regulated person outside of their health profession. And so what we are seeing in our profession with the opticians is it might be conducted outside of their regulated profession. So we are looking at it from the perspective is what's the regulator's role in this?

Our role, of course, is to protect the public. And so what we want to do is remind the regulated members that if they are practicing these skills or these procedures, that they cannot use their protected title or their credentials while performing these skills, because of course, a lot of them wouldn't be considered within their regulated scope of practice.

We're reminding them to make sure they're clear with the public that it's not part of their regulated profession, that they can't use their titles to mislead or persuade the public into receiving these services. And we want them to take note of any privacy laws or any billing laws that may be relevant if they are doing it on the side.

And then the last thing we're kind of reminding them about is how to advertise these services, again just to not mislead the public. So, because these procedures and these skills may be outside of the regulated member scope of practice, as a regulator, we can't overstep. And so what we look at is what our role is with that regulated member to remind them, and then we are looking at that as that mandate to protect the public.

So it is interesting. Medical aesthetics I think is something that lots of professions are seeing, and that's sort of the approach that we are taking from it, is just that what is our role as a regulator if those aren't skills that fall within the scope of practice. So that's one of the first trends we're seeing.

And interestingly enough, another trend is mandatory registration. And so, making sure that those who must be registered with the college actually are registered with the college. In Alberta, sort of

loosely speaking, if an individual has the education to perform health services or professional services and they are performing those services, they must be regulated. There are some professions where you may be able to be supervised by another profession. And so we're finding some individuals may think that they don't need to be registered. But if they have the education and they're providing those skills, they do fall under mandatory registration.

So that's something else that we're looking at-- how we can enforce that to ensure that, again, the public safety aspect is being mandated through our college so that we can make sure that the people providing the services, who have the education, are being regulated. We're increasing our collaboration with the industry and communication with other professions, and even just communication on our website to ensure that people understand what that mandatory registration looks like and what's required of them.

So those are two sort of trending topics that we are seeing right now. Again, with the medi spas requires a little bit more of an education around what their role is as a regulated member when they're not performing services of a regulated member. And then the opposite is when they have to be regulated and what our role is with that and what we do to ensure that they are appropriately registered.

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**Line:** Excellent. It’s always beneficial to open the discussion of what’s happening in the world of professional regulation. And we’d love to continue this conversation with our members on the CLEAR Regulatory Network. This podcast episode will be posted there for your comments and discussion. Did any of these topics from our committee environmental scans resonate with what you’re seeing in your jurisdiction or organization? What other issues are at the top of your list today? The CLEAR Regulatory Network is all about sharing challenges and best practices, so we encourage your questions, comments, and discussion.

Another way you can stay up to date on current news and trends in the regulatory arena is through the CLEAR Regulatory News blog. CLEAR would like to take a moment here to recognize World Education Services, WES for being Business Partner of the Month for March. Make sure you check out their article about [Trends in International Academic Credential Evaluations](#) on the CLEAR News blog. From CLEAR’s homepage, click [News](#) in the menu. Thanks to World Education Services, WES for their support.

I’d also like to thank our listeners for tuning in for this episode. We’ll be back with another episode of Regulation Matters: a CLEAR conversation very soon. If you’re new to the CLEAR podcast, please subscribe to us. You can find us on Podbean or any of your favorite podcast services. If you’ve enjoyed this podcast episode, please leave a rating or comment in the app. Your reviews help us improve our ranking and make it easier for new listeners to find us. Feel free to visit our website at [www.clearhq.org](http://www.clearhq.org) for additional resources and a calendar of upcoming programs and events.

Finally, I’d like to thank our CLEAR staff, specifically Stephanie Thompson, Content Coordinator and editor for our program. Once again, I’m Line Dempsey, and I hope to be speaking to you again very soon.

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