



Ohio Society of Association Executives

June 26, 2018

The Honorable William P. Coley, II
Chairman, Senate Government Oversight and Reform Committee
Ohio Senate
1 Capitol Square, 1st Floor
Columbus, OH 43215

The Honorable Rob McColley
Ohio Senate
1 Capitol Square, Ground Floor
Columbus, OH 43215

Dear Chairman Coley and Senator McColley:

Today, I submit this letter on behalf of the Ohio Society of Association Executives (OSAE) as an interested party in relation to Ohio SB 255. We are concerned with the bill's provisions relating to professional certification.

Since its 1938 founding, OSAE has provided a variety of tangible benefits, products and services designed to enhance growth, development and professional expertise among its membership. The association profession is diverse, its leaders knowledgeable and its experiences truly unique. As a nonprofit serving Ohio's powerful, economic-driving association industry, OSAE champions Ohio's associations and the professionals who serve in them. The organization assists our membership, comprised of association professionals, industry partners, professional services and hospitality peers, in efforts that best allow them to serve their unique communities and strengthen Ohio's rich business environment. At the heart of our community are people – researchers, innovators, mentors, communicators – whose expertise and hard work collectively help to create a stronger Ohio.

We submit our concerns as they relate to non-governmental professional credentialing, as we know it is vital to our state's workforce. As the largest provider of post-college professional training for workers, associations administer credentialing and certification programs for many professionals as a means of enhancing their reputation and competence in their respective field and to enable those professionals to demonstrate that they meet established standards of professional skill, competence and knowledge in their fields. All we are asking is that additional input be sought from the countless associations that improve, employ and strengthen Ohio's workforce and economic engine.

Please do not hesitate to contact me directly at (614) 824-4054 or via email at jarrod@osae.org with any concerns or questions you may have for the organization. Thank you for considering OSAE's position on SB 255.

Sincerely,

A handwritten signature in black ink that reads "Jarrod A. Clabaugh, CAE".

Jarrod A. Clabaugh, CAE
Executive Director, OSAE

Cc: Senator Joe Uecker
Senator Joseph Schiavoni
Senator Kevin Bacon
Senator Edna Brown
Senator Matt Huffman
Senator Kris Jordan
Senator Frank LaRose
Senator Bob Peterson
Senator Michael Skindell

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Dear Chairman Coley and Senator McColley:

I am writing today on behalf of many Ohio association professionals to express our concern with Ohio S.B. 255's provisions relating to professional certification. With more than 40,000 members, the American Society of Association Executives (ASAE) is the largest organization in the world representing the interests of associations.

Together, our members represent 7,400 organizations that make the world smarter, safer, and better every day. Associations build a stronger economy, enhance job skills, improve systems and structures, and strengthen lives. At the heart of our community are people – researchers, innovators, mentors, communicators – whose expertise and hard work collectively help to create a stronger America and world.

Nongovernmental professional credentialing is vital to America's workforce. Associations – the largest provider of post-college professional training for workers – administer credentialing and certification programs for many professionals as a means of enhancing their reputation and competence in their respective field and to enable those professionals to demonstrate that they meet established standards of professional skill, competence, and knowledge in their fields. **Because nongovernmental certification organizations are the recognized subject matter experts in those standards, many occupational licensing agencies expressly recognize or even require these private certifications to be held by practicing professionals. Unfortunately, S.B. 255's provisions would block such recognition, to the detriment of the residents of Ohio and of associations that credential Ohio professionals.**

The bill creates a presumption that professional certification is unnecessary, stating that state policy "shall presume that market competition and private remedies are sufficient to protect consumers." The bill mandates that the state "use the least restrictive regulation to protect consumers from present, significant, and substantiated harms that threaten public health and safety." In so doing, the bill wholly disregards other important public interests served by licensure laws that require certification, such as protecting consumers' financial welfare. Licensed CPAs, for example, safeguard the financial security of individuals and businesses, but not their health or safety, so they would not count as serving the "public interest."

In addition, where Ohio's licensure laws currently require professional certifications for licensure, it will be extremely difficult to point to "present, significant, and substantiated harms," because the existing licensure

laws prevent such harms. There is no data, for example, on harm to patients from licensed Physician Assistants practicing medicine without having passed the non-governmental certification exam, because Ohio and all other states require certification as a condition of initial licensure. To require agencies to justify their continued regulatory recognition of the important standards of professional certifications would recklessly and unnecessarily jeopardize the welfare and interests of Ohioans. ASAE supports and promotes vibrant economies and competition, but competition must be balanced against the public's legitimate interests in state recognition of high professional standards.

ASAE is also troubled by the perhaps unintended message of the bill directing the state to enter into the certification marketplace itself. Section 4798.02(B)(5) provides that, "If regulations are intended to protect consumers against asymmetrical information between the seller and the buyer, the appropriate state action shall be to offer voluntary certification." State agencies are not subject matter experts in the standards and knowledge base of the professions they regulate, and it would not serve the public interest for the state to set up certification programs that parallel certifications offered by private certification organizations.

For these reasons, ASAE opposes passage of S.B. 255. We suggest that instead the legislature establish a task force to consider the problem of excessive occupational licensing and to develop ways to address that problem without weakening the protections to the public offered by governmental recognition of private certification programs.

Sincerely,



John H. Graham IV, FASAE, CAE
President and CEO

Cc: Senator Joe Uecker
Senator Joseph Schiavoni
Senator Kevin Bacon
Senator Edna Brown
Senator Matt Huffman
Senator Kris Jordan
Senator Frank LaRose
Senator Bob Peterson
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