



December 16, 2020

Senator Larry Obhof
President
Ohio State Senate
1 Capitol Square, 2d Floor
Columbus, OH 43215
VIA EMAIL: obhof@ohiosenate.gov

Senator Kenny Yuko
Minority Leader
Ohio State Senate
1 Capitol Square, 3rd Floor
Columbus, OH 43215
VIA EMAIL: yuko@ohiosenate.gov

Re: Opposition to Ohio HB 263 in its Current Form

Dear President Obhof and Leader Yuko,

On behalf of the Academy of Medical-Surgical Nurses (AMSN) and its certifying body, the Medical-Surgical Nursing Certification Board (MSNCB), with 13,000 members and 42,000 certificants nationally including more than two thousand members or certificants in the state of Ohio, I write in opposition to Ohio HB 263 in its current form and request it not be enacted into law without the changes noted below. The MSNCB is a member of the Professional Certification Coalition (PCC), a national association representing the private professional certification community consisting of more than a hundred organizational members that collectively represent hundreds of thousands of certified individuals.

As outlined in the attached letter from PCC, we support the goal of HB 263 to broaden access to licensure for ex-offenders so they may earn a living in their chosen profession. However, we also believe that licensing boards should have the ability to consider relevant underlying facts related to an applicant's past conduct so the board may make individual determinations about that applicant's fitness to practice the occupation with the state's endorsement. A registered nurse's voluntary professional certification with MSNCB, the only national certification demonstrating training and competence in the medical-surgical nursing specialty, rests in part on state licensure of that nurse. Unfortunately, the current language of HB 263 exposes the public, patients and MSNCB to substantial risks by blinding licensing authorities – and by extension certifying authorities like ours -- to aspects of an applicant's history simply due to the passage of time, among other consequences. MSNCB certificants are registered nurses who provide medical-surgical nursing care for patients, requiring high levels of professional skill and judgement in service of people needing care at the most vulnerable points of their lives.

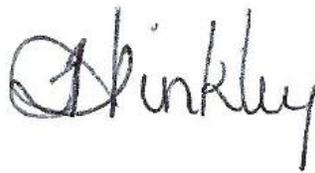
The PCC proposed amending the HB 263 to correct its negative effects on the public and on certification organizations that rely on licensure decisions. As the bill passed the Senate without

those amendments, however, we urge you not to enact the bill in its current form, and instead to address the issue through improved legislation next session.

Our organization and the PCC believe that any bill establishing standards for consideration of criminal conviction history for purposes of licensure should endorse the role of licensing authorities in protecting public health and welfare, not just public safety, and should permit such authorities to consider any information that is relevant to a licensure decision. We believe that Pennsylvania SB 637, enacted into law earlier in 2020, provides a useful model for criminal conviction history legislation. SB 637 strikes a balance between the worthwhile goal of reducing barriers to entry for ex-offenders while ensuring that licensing boards determine case-by-case whether an applicant poses an unacceptable risk to those with whom the applicant would interact while practicing an occupation or profession. We would welcome the opportunity to work constructively with you and other stakeholders on revised legislation next session that reflects this balance.

Thank you for your consideration. Please do not hesitate to contact AMSN legislative consultant Frank Purcell, frank.purcell@cardinalwaypoint.com, in our organization or email info@profcertcoalition.org to discuss this issue with a member of the PCC team.

Sincerely,

A handwritten signature in black ink that reads "Hinkley". The signature is written in a cursive, slightly slanted style.

Terri Hinkley, EdD, MBA, BScN, RN, CAE
CEO, AMSN and MSNCB

Cc: Representative J. Kyle Koehler: rep79@ohiohouse.gov
Senator Rob McColley: McColley@ohiosenate.gov

Enclosure: PCC letter to Rep. Koehler re Ohio HB 263, Nov. 13, 2020