

Chair Johnson, Vice-Chair Cirino, Ranking Member Williams, and members of the Senate Workforce and Higher Education Committee, thank you for the opportunity to submit this written testimony as a proponent of S.B. 131, which would provide universal licensure reciprocity in Ohio.

My name is Drew Snyder and I am licensed physical therapist in the states of Ohio and Illinois. I am also a licensed attorney in the state of Illinois. I graduated with my Doctor of Physical Therapy (“DPT”) degree from Youngstown State University in 2017. Physical therapists are healthcare professionals that evaluate and manage “an individual’s movement system across the lifespan to... provide interventions targeted at preventing or ameliorating activity limitations and participation restrictions.”¹ I chose to study physical therapy, in part, because I wanted to help restore people’s ability to move so that they could return to doing the activities that they enjoy. For many patients seeking therapy services, one of their primary goals is to return to work. After completing the seven years of higher education necessary to get a license to practice physical therapy, I was equipped with a lot of tools and techniques to help restore people’s movement and return to work. Unfortunately, while in physical therapy school, there was a particular barrier to employment that I began to notice that kept people from working: occupational licensure.

In 1950, roughly 5% of Americans needed a license to do their job. By 2008, that number had risen to 29%.² Advocates of licensure will claim that occupational licensure is necessary to protect the public health and safety. However, it is not clear that many of these licenses actually improve public health and safety, and in fact, many licenses may actually hurt the public health and safety.³ Even in the professions where the need for licensure seems to be the most obvious, such as law and medicine, it’s not clear that our current licensing regimes contribute much at all to protecting the public health and safety.⁴ Rather than protecting the public, many licensing boards seem to function to protect licensees like me from competition by erecting massive barriers to entry into the profession (including making it excessively difficult for out-of-state licensees to enter the profession) and then doing relatively little to ensure an individual’s continued competence once the individual has been licensed.⁵

¹ See: Physical Therapist Practice and the Human Movement System. An American Physical Therapy Association White Paper. Alexandria, VA: American Physical Therapy Association; 2015.

² See: Kleiner, Morris M.. (2015). Reforming Occupational Licensing Policies. Retrieved from the University of Minnesota Digital Conservancy, <http://hdl.handle.net/11299/190817>

³ See: Adam B. Summers, Occupational Licensing: Ranking the States and Exploring Alternatives, Reason Foundation (August 2007), <https://reason.org/wp-content/uploads/files/762c8fe96431b6fa5e27ca64eaa1818b.pdf>.

⁴ See, for example: Berk, Jonathan B., and Jules H. Van Binsbergen. Regulation of charlatans in high-skill professions. No. w23696. National Bureau of Economic Research, 2017; Shirley V. Svorny and Michael F Cannon, Health Care Workforce Reform: COVID-19 Spotlights Need for Changes to Clinician Licensing, Cato Institute Policy Analysis No. 899 (2020), <https://www.cato.org/publications/policy-analysis/health-care-workforce-reform-covid-19-spotlights-need-changes>; and Clifford Winston, David Burk, and Jia Yan. Trouble at the Bar: An Economics Perspective on the Legal Profession and the Case for Fundamental Reform. Brookings Institution Press, 2021.

⁵As Professor Walter Gellhorn wrote, “licensing, imposed ostensibly to protect the public, almost always impedes only those who desire to enter the occupation, or ‘profession;’ those already in practice remain entrenched without a demonstration of fitness or probity.” See Walter Gellhorn, The Abuse of Occupational Licensing, 44 U. Chi. L. Rev. 6, 11 (1976).

Beyond the dubious claims of protecting the public health and safety, occupational licensure has been shown to decrease employment opportunities, increase the prices of goods and services,⁶ and decrease the ability of licensed workers to move across state lines in pursuit of greater economic opportunities.⁷ Fortunately, despite these barriers to economic opportunity and freedom, adoption of universal licensure reciprocity can ameliorate some of these deleterious effects while still allowing for whatever protective benefits that occupational licensure affords.⁸ Requiring workers to redemonstrate their competency every time they move across state lines makes little practical sense. As Arizona Governor Doug Ducey observed after signing Arizona's universal licensure reciprocity legislation, "You don't lose your skills simply because you pack up a U-haul truck and make the decision to move to Arizona."⁹ That principle holds true when people cross state lines and enter the Buckeye State. Fortunately, the idea of recognizing occupational licenses from other states has grown rapidly during the COVID-19 pandemic. As part of the public health emergency measures, many states adopted universal licensure reciprocity as a means to increase the number of healthcare providers available to treat COVID-19 patients.¹⁰ If we can temporarily adopt occupational licensure reciprocity during the worst public health emergency of my lifetime, then there is no reason that we shouldn't make it permanent.

In his formula for happiness, Arthur Brooks wrote that "Work can bring happiness by marrying our passions to our skills, empowering us to create value in our lives and in the lives of others."¹¹ As a physical therapist, I witnessed first-hand the disappointment and frustration that accompanied losing one's ability to work. While there are a number of interventions that can be applied in the clinic to help restore an individual's movement and ability to work, healthcare professionals cannot address the regulatory barriers that make moving to find work more difficult. That is why I am asking you to please pass S.B. 131 and tear down these arbitrary barriers to work. By passing SB 131 Ohio can be among the national leaders in adopting occupational licensure reciprocity, which will empower individuals to move to the Buckeye State and pursue their passions in a way that allows them to utilize their skills in a way that creates value and allows Ohioans to better serve each other.

Thank you for the opportunity to submit this written testimony as a proponent of SB 131.

⁶ See Footnote 2.

⁷ Janna E. Johnson and Morris M. Kleiner. "Is occupational licensing a barrier to interstate migration?." *American Economic Journal: Economic Policy* 12.3 (2020): 347-73.

⁸ See Footnote 7.

⁹ See Associated Press, Arizona becomes first state to match other states' work licenses, ABC 15 Arizona (April 10, 2019, 9:26 AM), <https://www.abc15.com/news/state/arizona-becomes-first-state-to-match-other-states-work-licenses>

¹⁰ See, for example: Iris Hentze, "COVID-19: Occupational Licensing During Public Emergencies." National Conference of State Legislatures. (2020)

¹¹ Arthur C. Brooks, "A formula for happiness." *New York Times* (2013).
<https://www.nytimes.com/2013/12/15/opinion/sunday/a-formula-for-happiness.html>