

# Regulatory Environment Update

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# Credentialing has a huge market share



- » 24% of all US employees hold a license or certification
- » Higher for some professions:
  - Healthcare: 77%
  - Legal: 66%
  - Education: 53%



## Percent of employees holding a certification or license, 2015-2017

# Downward trend?

- » 1.2% drop (2015-2017)
  - ~1.8M people
- » Negative trend consistent across most professions

|  | 2015 | 2016 | 2017 |  | Change |
|--|------|------|------|--|--------|
| Total, 16 years and over                                     | 25.5 | 25.0 | 24.3 |  | -1.2   |
| Management, professional, and related occupations            | 37.6 | 37.0 | 36.0 |  | -1.6   |
| Management, business, and financial operations occupations   | 23.5 | 22.9 | 22.2 |  | -1.3   |
| Management occupations                                       | 23.3 | 22.5 | 21.9 |  | -1.4   |
| Business and financial operations occupations                | 23.8 | 24.0 | 22.9 |  | -0.9   |
| Professional and related occupations                         | 47.7 | 47.1 | 45.9 |  | -1.8   |
| Computer and mathematical occupations                        | 15.8 | 14.2 | 14.4 |  | -1.4   |
| Architecture and engineering occupations                     | 26.6 | 26.4 | 25.5 |  | -1.1   |
| Life, physical, and social science occupations               | 27.2 | 25.4 | 26.2 |  | -1.0   |
| Community and social services occupations                    | 39.7 | 38.5 | 37.0 |  | -2.7   |
| Legal occupations  | 68.1 | 66.8 | 65.5 |  | -2.6   |
| Education, training, and library occupations                 | 55.5 | 55.5 | 52.7 |  | -2.8   |
| Arts, design, entertainment, sports, and media occupations   | 10.8 | 11.6 | 10.6 |  | -0.2   |
| Healthcare practitioners and technical occupations           | 76.9 | 77.0 | 77.0 |  | 0.1    |
| Service occupations  | 22.8 | 21.9 | 21.7 |  | -1.1   |
| Healthcare support occupations                               | 51.8 | 50.9 | 48.9 |  | -2.9   |
| Protective service occupations                               | 40.0 | 37.6 | 37.5 |  | -2.5   |
| Food preparation and serving related occupations             | 8.2  | 7.7  | 7.6  |  | -0.6   |
| Building and grounds cleaning and maintenance occupations    | 7.9  | 7.6  | 7.8  |  | -0.1   |
| Personal care and service occupations                        | 31.9 | 31.1 | 30.7 |  | -1.2   |
| Sales and office occupations                                 | 13.1 | 12.6 | 12.0 |  | -1.1   |
| Sales and related occupations                                | 16.2 | 16.1 | 15.0 |  | -1.2   |
| Office and administrative support occupations                | 10.3 | 9.6  | 9.4  |  | -0.9   |
| Natural resources, construction, and maintenance occupations | 21.3 | 20.2 | 19.3 |  | -2.0   |
| Farming, fishing, and forestry occupations                   | 8.0  | 9.1  | 8.4  |  | 0.4    |
| Construction and extraction occupations                      | 20.4 | 19.7 | 18.7 |  | -1.7   |
| Installation, maintenance, and repair occupations            | 25.4 | 23.6 | 22.9 |  | -2.5   |
| Production, transportation, and material moving occupations  | 16.6 | 16.5 | 15.3 |  | -1.3   |
| Production occupations                                       | 10.9 | 10.2 | 10.2 |  | -0.7   |
| Transportation and material moving occupations               | 22.0 | 22.2 | 19.9 |  | -2.1   |

Source: BLS (<https://www.bls.gov/cps/certifications-and-licenses.htm>)

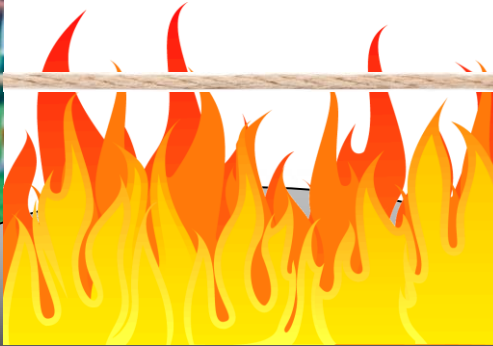
# There exists an ongoing tension...



- Protect public health, safety, welfare
- Ensure competence



- Avoid over-regulation
- Remove barriers to employment



# Individual vs Broad Challenges



## » Legal Challenges to Credentialing Programs

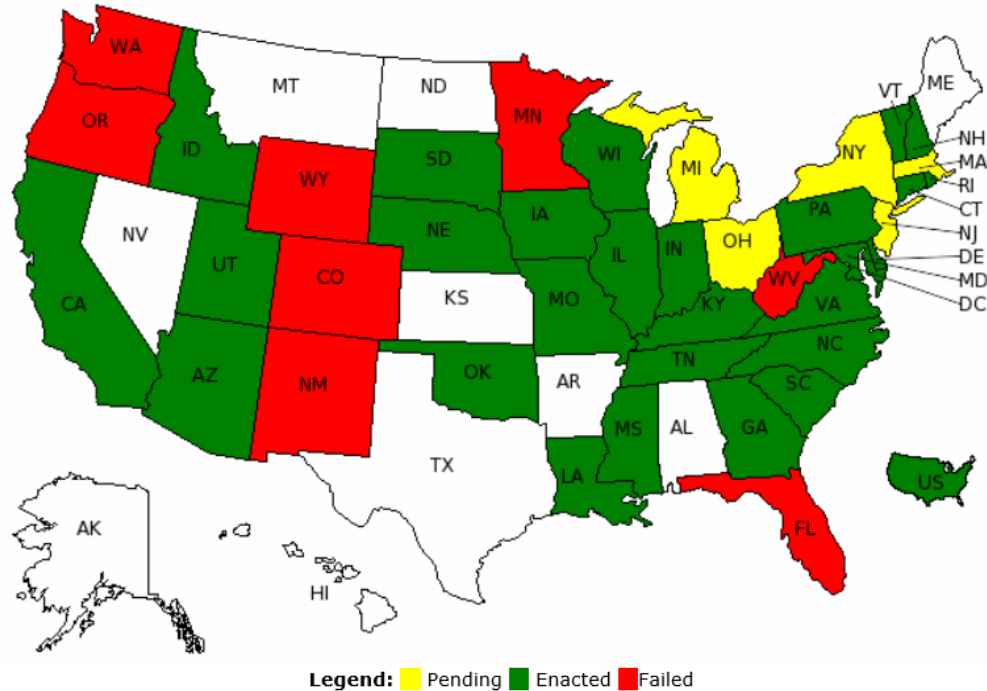
- Testing Accommodation Policies
- Test Security Policies
- Test Construction Procedures
- Protecting the Public

## » Legislative Challenges to the Field of Credentialing

- Deregulation
- Active Supervision
- Interstate Compacts
- Sunseting
- Least Restrictive Regulation
- Maintenance of Certification

*Phillips (2017, p. 229)*

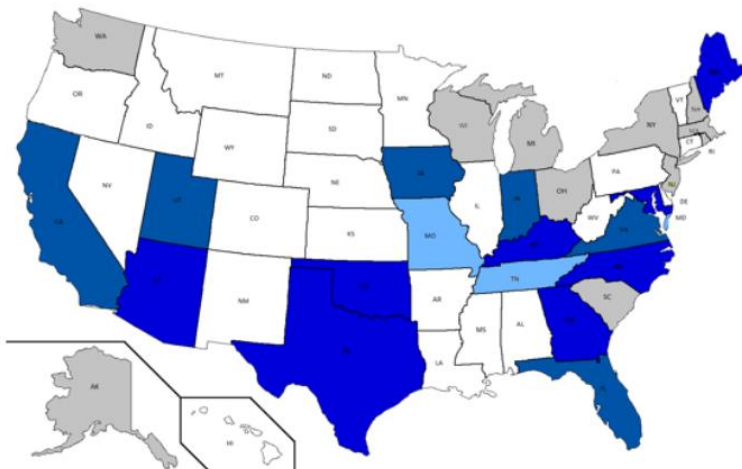
# Example: Legislation related to Licensure of Architects



# Example: MOC Legislation



## STATE LEGISLATION OPPOSING THE USE OF CERTIFICATION 2016-2018



### Legislation Pending in 2018 (11):

Alaska, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Rhode Island, South Carolina, Washington, Wisconsin

### Legislation Passed in 2016/2017 (8)<sup>1</sup>:

Arizona, Georgia, Kentucky, Maine, Maryland, North Carolina, Oklahoma, Texas

### Legislation Passed in 2016/2017 & Currently Pending in 2018 (2)<sup>1</sup>:

Missouri, Tennessee

### Legislation No Longer Active in 2018 (6):

California, Florida, Indiana, Iowa, Virginia, Utah

<sup>1</sup> All passed legislation to date would prohibit the use of MOC for licensing decisions. In addition, Georgia prevents health plans from requiring MOC and Texas prohibits the use of MOC as requirement for health plans and hospitals.

# Opponents to Standardized Testing Remain Vocal



*Where are the pro-test protests?*

## Testing Resistance & Reform News: August 1 - 7, 2018

Public school classrooms open their doors to students in parts of the South at the end of this week. No surprise, then, that coverage of testing plans (and protests) is escalating from mid-summer doldrums.

**National** The U.S. Needs to Get Smarter About Testing

<https://www.edweek.org/ew/articles/2018/07/31/we-all-need-to-get-smarter-about.html>

**Arizona** Race, Family Income, and Zip Codes Strongest Predictor of Test Scores



# Example Advocacy and Information Resources



The Right to  
**SAFE**  
Care Coalition



**Council on Licensure,  
Enforcement & Regulation**

Promoting Regulatory Excellence

**NATIONAL  
COUNCIL ON  
MEASUREMENT  
IN EDUCATION**

Up-to-Date Practitioners = Safer Health Care



**PROFESSIONAL  
CERTIFICATION  
COALITION**

**ATP**

Association of  
Test Publishers  
*The intelligent voice for testing*

**LEADING** the  
**CONVERSATION**

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