STRONGER TOGETHER

Supporting our Members – Advocating for Responsible Licensure
Agenda

- Review of Legislative Activity and Learning
- ARPL Long-Term Vision
- CLARB Long-Term Vision
- Upcoming Events
Review of Legislative Activity
Occupational Licensure Legislation

2020
## 2020 Occupational Licensing Threats

<table>
<thead>
<tr>
<th>Bill Type</th>
<th>Number of Bills</th>
<th>Passed</th>
<th>Still Active</th>
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<tbody>
<tr>
<td>Landscape Architecture Deregulation</td>
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<tr>
<td>Consumer Choice Act</td>
<td>3</td>
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<tr>
<td>Occupational Licensing Studies/Reviews</td>
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<td>Right to Earn a Living</td>
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<td>Sunrise/Sunset</td>
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<td>1</td>
<td>7</td>
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<tr>
<td>Bill Type</td>
<td>Number of Bills</td>
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<td>Still Active</td>
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<td>-----------------------------------------------</td>
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<tr>
<td>Second Chance Acts – Limits use of criminal history in licensing</td>
<td>45</td>
<td>11</td>
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<td>Reciprocity Acts for Military Spouses, Veterans, Etc.</td>
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<td>20</td>
<td>10</td>
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<td>Student Loan Default Acts – Limit use of defaults in licensing decisions</td>
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2020 Top 10 – Landscape Architecture Legislation

<table>
<thead>
<tr>
<th>Legislation</th>
<th>State</th>
<th>Status</th>
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<tbody>
<tr>
<td><strong>Title Act</strong></td>
<td>IL – Renewed Title Act (HB 4765)</td>
<td>Ongoing</td>
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<tr>
<td><strong>Practice Act</strong></td>
<td>Nebraska – Updated Practice Act (LB 30)</td>
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<td></td>
<td>BC – Prof. Governance Act</td>
<td>Ongoing</td>
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<tr>
<td></td>
<td>AB – Review of Boards/Comm.</td>
<td>Ongoing</td>
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<tr>
<td><strong>Consumer Choice</strong></td>
<td>Tennessee</td>
<td>Failed</td>
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<td></td>
<td>West Virginia</td>
<td>Failed</td>
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<tr>
<td><strong>Sunset</strong></td>
<td>IA – SF2163 (FY 2022)</td>
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<td>HI – SB 202 (FY 2028)</td>
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<td>OK – HB 2831 (FY 2021)</td>
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<tr>
<td><strong>Board Name/Composition</strong></td>
<td>Alaska – Adds Landscape Architecture to Board Name (HB 291)</td>
<td>Failed</td>
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<tr>
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<td>AZ – Board Composition (SB 1274)</td>
<td>Enacted</td>
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<tr>
<td></td>
<td>WV – HB 4860</td>
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</table>
Legislation During COVID Crisis
The Alliance for Responsible Professional Licensing (ARPL) promotes a responsible, balanced approach to professional licensing, educating policy makers and the public on the importance of high standards, rigorous education, and extensive experience within highly complex, technical professions that are relied upon to protect public safety and enhance public trust.
AND THEN... COVID-19

State legislatures hit “pause” and turned toward other priorities – briefly

Now, a new COVID-driven dynamic to the issue
The government just admitted that it’s part of the problem

"...the fact that many government operations need to be suspended to permit an economic resurgence is a tacit admission from the government that it often inhibits progress of various forms. As such, maybe more regulations should be shelved permanently, including many in Georgia."

Prioritize licensing reform for health and economic recovery

by Ben Witterdink | June 04, 2020 09:41 AM

"...as communities begin to reopen and seek to recover economically, it is more important than ever to remove the barriers that would inhibit those efforts while still protecting the public if the virus reemerges in the fall. Though there are many examples of unnecessary regulations that would hinder an economic recovery, occupational licensing restrictions should be at the top of the list."

Iowa is advancing freedom with licensing reform

Gov. Reynolds expected to sign bill for universal recognition of out-of-state occupational licenses

"Iowa policymakers and businesses agree, the state needs skilled workers... By reducing onerous occupational licensing regulations, it will not only expand economic opportunities for those here, but also attract new workers into our state."

Deregulation should last post-COVID

"...states loosened licensing restrictions and requirements that limit out-of-state medical professionals from working in-state. These government barriers make it expensive and time-consuming for medical workers to practice anywhere other than the state in which they obtained their license."
A NEW WAVE OF STATE ACTIVITY

Active May-July 6, 2020

Signed into Law
A RECALIBRATED ARPL NARRATIVE

• In tone and message
  • View through the COVID lens
  • Inject a more assertive tack and tone in our commentary
  • More directly challenge the opposition

• In substance
  • Take ownership by redefining and advocating for the RIGHT type of licensing reform
  • Offer our solutions
“As we have seen throughout the current crisis, existing professional licensing models have allowed professionals to move to areas where their expertise is most needed without jeopardizing the public’s health, safety, and welfare. At all times, but especially during times of national crisis, the public needs to have confidence that our nation’s critical physical and financial infrastructure is in the hands of competent, qualified professionals.”
ARPL STRATEGIC POSITIONING

Reform is going to happen – the smart play is to shape it

- Redirect calls for reform into productive channels: namely, mobility
- Play to the public’s support for mobility and concern over extreme proposals
- Position ARPL as a leader to shape responsible reform that works
- Promote our licensing systems as best practices and models from which to draw
- Offer guidance and practical fixes that achieve reform while protecting the public and existing strong licensing models
INTERSTATE PRACTICE REPORT

Licensed to Move: Pathways, Principles, and Pitfalls for Interstate Practice

Overview
A resource to help lawmakers understand the core components upon which interstate practice depend, along with pitfalls that can inadvertently create new barriers. This paper examines what lawmakers need to know and do to effectively implement interstate practice, including:

- Recognizing existing licensing systems that already
- Creating substantial equivalency in licensing requirements
- Establishing oversight and enforcement

Delivery and Promotion
- Release date of late July/early August
- Webinar briefing for state partners
- Pitch to lawmaker outlets/forums – e.g. NCSL programming
- Deliver to lawmakers via digital advertising in key states
- Leverage around NCSL’s licensing report in the fall
ARPL is partnering with Oxford Economics to commission a study that brings forward a sound, data-driven perspective on the true impacts of professional licensing.

### Objective
- Challenge the underlying assumptions driving calls for reform
  - Licensing is a barrier to entry
  - Licensing hinders access to professions
- Reinforce the benefits licensing provides to individuals, employers, and the public

### Methodology
- **Phase 1**
  - Lit review
  - Data analysis
  - Qualitative interviews
- **Phase 2**
  - Data modeling

### Timing
- **Phase 1**
  - July 1 - August 26
- **Phase 2**
  - August 26 - Oct. 26
- **Release**
  - Scheduled for November
CLARB
Rethinking Landscape Architecture Regulation
Genesis of Rethink Regulation

How should CLARB be adapting to these changes?

- Push for regulatory reform
- Changing stakeholder preferences
- Advancements in technology
- Changing demographics
Desired Outcomes

<table>
<thead>
<tr>
<th>Reduce</th>
<th>Harmonize</th>
<th>Eliminate</th>
<th>Improve</th>
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<tbody>
<tr>
<td>Reduce the time to licensure</td>
<td>Harmonize licensure requirements across the US and Canada</td>
<td>Eliminate redundancies in the application process</td>
<td>Improve the experience for candidates, licensees and boards</td>
</tr>
</tbody>
</table>
Reduce the time to licensure

• Partnering with boards to make policy and process changes
  • Delegate administrative approval for licensure applications
  • Allow for direct application for the L.A.R.E.
FY 2020 Work

Partners
- Maryland
- Oregon
- Texas
- Virginia

Process
- Staff procedure analysis
- Board meeting discussion
- Next steps planning
Maryland Board

Initiatives
Elimination of pre-approval for the exam

Process
Statutory Changes

Oregon Board

Initiatives
Elimination of pre-approval for the exam

Process
Rules Changes

Texas Board

Initiatives
Elimination of pre-approval for the exam

Process
Statutory Changes

Virginia Board

Initiatives
Elimination of pre-approval for the exam

Process
Procedural Changes
Harmonize licensure requirements

• Development of a uniform standard for licensure based on defensible requirements:
  • **Education:** Today, most candidates for initial licensure have accredited degrees while exceptions remain for alternative pathways.
  • **Exam:** There is strong consensus around passage of the L.A.R.E. as a core requirement for licensure.
  • **Experience:** The greatest variance exists related to experience requirement, which vary significantly from one jurisdiction to the next.
Hypotheses: What do we expect to find in answering the research question?

Pre-licensure work experience teaches prospective landscape architects essential skills needed to protect public health, safety and welfare that are not learned through other methods.

Pre-licensure work experience is nonconsequential to a prospective landscape architect’s ability to practice in a way that protects public health, safety and welfare.
Research Plan Overview

Existing Data Analysis Phase

1. Bucket jurisdictions by experience requirements and explore correlations
2. Analyze education program internship data
3. Analyze snapshot/cross sectional data

New Data Collection Phase

1. Conduct a candidate survey to better understand success factors
2. Conduct an expanded job task analysis (JTA) with a focus on core competencies
3. Field a separate research effort to assess "composite competence," outside of the JTA
Eliminate redundancies in the application process

• Development of a uniform application for licensure that can be used across all jurisdictions
Uniform Application

INITIAL PROFILE
- Full Name
- Other/Previous Names
- Email Address
- Home Address
- Phone Number
- Military Status
- Unique Identifier

EDUCATION

EXPERIENCE

EXAMINATION

REGISTRATION

Jurisdiction-Specific Requirements (if necessary)
- Jurisdiction-specific questions
- Background check
- Jurisdictional exam
- Attestations
Application Components

1. Evaluation Summary
   High-level licensure requirements evaluation from CLARB

2. Supporting Details
   Details of licensure requirements and supporting documentation
EVALUATION SUMMARY

**This is a summary of the applicant’s history and is not an evaluation of the record against CLARB’s Standards of Eligibility for Council Certification.

APPLICATION INFORMATION

Name: Marita Wagner  
Council Record #: 12301

Date of Initial Licensure: 07/16/2018  
Expiration Date: 07/16/2021

REGISTRATION SUMMARY

Jurisdiction: California

EDUCATION INFORMATION

Institution: West Virginia University

Examination Summary

The Applicant Marita Wagner has completed the examination for Licensure.

WORK EXPERIENCE SUMMARY

Employer: CLARB  
Experience Evaluation Category: Landscape Architecture  
Duration: 4 yr(s), 6 mth(s)

DICIPLINARY ACTION SUMMARY

SUPPORTING DETAILS

Below are the comprehensive details of the applicant’s history as verified by CLARB. The information is not an evaluation of the record against CLARB’s Standards of Eligibility for Council Certification.

APPLICANT INFORMATION

Name: Marita Wagner  
Address: 1960 Michael Fendley Dr Suite 200
Pittsburgh, PA 20190

Date of Initial Licensure: 07/16/2018  
Expiration Date: 07/16/2021

EDUCATION INFORMATION

Institution: West Virginia University

EXAMINATION DETAILS

Exam 1: Pass  
Exam 2: Fail  
Exam 3: Pass  
Exam 4: Pass

REGISTRATION DETAILS

Jurisdiction: CA, California

Initial Registration Date: 07/16/2018  
Expiration Date: 07/16/2021

Registration Number: 012545

Applicant has disciplinary information on file with Board of License, has ever been suspended, revoked, or denied.

Explanation:

Verified By: Sam Thompson  
Title: Executive  
Date Verified: 07/16/2021

DICIPLINARY INFORMATION

The following information is self-reported.

- [ ] Disciplinary History
- [ ] Any state action on professional license
- [ ] No

- [ ] License and/or Privilege
- [ ] N/A

- [ ] Description of the Incident
- [ ] N/A
Questions?
Questions/Comments