

Minutes of the  
**Occupational Licensing Reform (OLR) Workgroup**  
February 25, 2022, 9:00 a.m. – 11:00 a.m.  
**TEAMS Conference Call**

**Members present:** Katie Ralston, Senator Judy Lee, Adam Martin, Phil Davis, Rick Gardner, Andrea Pfennig, Jace Beehler, Dirke Wilke  
**Guests present:** Adam Diersing

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**Welcome and Introductions**

Katie Ralston opened the meeting at 9:00 a.m., welcoming members. She introduced Mr. Adam Diersing, Policy Analyst with the Council of State Governments (CSG) that would be presenting during the meeting.

**NATIONAL TRENDS IN OCCUPATIONAL LICENSING POLICY**

**Adam Diersing, Council of State Governments (CSG)**

Over the last 60 years, the number of jobs requiring an occupational license has grown from about 1 in 20 to nearly 1 in 4. Three in four healthcare occupations require a license to practice. States vary in which occupations require licenses and the percentage of the workforce in a license occupation.

**Barriers to Licensure**

**Costs**

- Monetary: licensing fees, examination fees, study materials, etc.
- Time: waiting for approval, study time, and examination time.
- Opportunity: inability to work

**Barriers to Specific Populations**

- Duplicative requirements (particularly for military spouses, veterans, immigrants)
- Good moral character, clauses, and criminal conviction standards
- Mobility disparities

**The Need for Licensure Mobility**

- Address workforce shortages
- Improve access to telehealth
- Aid specific populations
- Assist disaster relief efforts

**TRENDS IN OCCUPATIONAL LICENSURE PORTABILITY**

**#1 TREND**

**Targeted Reform for Specific Populations**

- Individuals with Criminal Records
- Military Members, Veterans & their spouses
- Immigrants with work authorizations

**#2 TREND**

**Universal License Recognition**

Report published in December 2021. Since 2018, 20 states implemented new or amended existing ULR policies. CSG conducted a survey of state licensing boards in AZ, CO, ID, IO, MI, MT, and PA on how ULR policies have changed licensing and the experiences and challenges of implementing these policies.

- Residency Required
- Substantially Equivalent
- Compacts Exempt

### #3 TREND

#### **Interstate licensure compacts**

Interstate licensure compacts are legislatively enacted agreements among states allowing licensees to practice across state lines. Compacts provide pathways to multistate practice for practitioners utilizing Telepractice. This can alleviate practitioner shortages in high demand/rural areas.

- Currently 9 OLC (Occupational Licensing Compacts)
  - Nurse Licensure – 38 states
  - Psychology – 26 states
  - Occupational Therapy – 9 states
  - Medical Licensure – 35 states
  - Emergency Medical Services – 22 states
  - Counseling – 3 states
  - Physical Therapy – 34 states
  - Audiology & Speech Language Pathology – 19 states
  - Advanced Practices Nurse – 2 states

### #4 TREND

#### **Changing Regulatory Structure**

Stems from concerns about active state supervision in the wake of the ND Dental Supreme court case.

- Principles of Board Centralization
  - Grouping agencies into broad functional areas
  - Establishing small number of departments to enhance the span of control and pinpoint responsibility to chief executive and the legislature.
  - Delineating single lines of authority to the top
  - Administering department by an individual and not boards or commissions

### #5 TREND

#### **Digital Licensing Systems**

- COVID -19 pandemic heightened awareness of need for online licensing systems as offices went remote
  - 26 states have at least partial online licensing systems, many developed before the pandemic
- Can include:
  - Online initial application and renewal
  - Digital license
  - Online continuing education credits
  - Ability to pay fees
- Lower costs and processing times, lessens need for physical office locations and can use state databases to increase accountability.

## #6 TREND

### Expanding Apprenticeships

- Earn while you learn program with on-the-job training for future practitioners.
- Pre-establish incremental wage increase.
- National, portable credential earned
- 94% of apprentices who complete an apprenticeship program retain employment
- Over 1,000 occupations (health care, cybersecurity, information technology, and energy)

## DISCUSSION with Adam Diersing

### Challenges with universal licensing recognition

- Some board administrators said it does have a positive impact
- Barriers to implementation, websites to accommodate Universal Recognition Licensing (URL) policies
- Lack of guidance/legislation
- Building and rebuilding systems to accommodate policy
- Fair chance policies – what paths to dive deeper into
  - Pre-qualification
  - Publishing disqualified convictions
  - Passing legislation to remove blanket bans from licensing rules
- Are other states resorting to legislation to get the process done or is it board driven?
- Working with board members to make better decisions.
- Boards to possibly testify with more engagement from the subcommittee
- Truckers to get a hazmat add on for CDL license – states may have their hands tied (Adam D to check on details)
  - Federal change
    - Possible approach to ND Federal delegation

### Takeaways

- Fair chance opportunities
- URL – components that are beneficial
- Listening sessions with boards; like those that were done in August of 2020.
- Adam Diersing to send expanded resources to Katie.
- Review the resources before the next meeting and narrow the focus for future discussions.
- Board member appointment
- Centralized website directory for linking to state boards – Smarter not Harder
  - Who creates?
  - Who pays for the site?
  - Who maintains?
- Immigration issues – Job Service ND helps with many of these issues
  - Language barriers
  - Computer illiterate
  - College certifications to be licensed

### **SURVEY**

Commerce was given the authority to collect a report from the licensing boards.

#### **What information do we not have to make informative decisions?**

- Military spouses and members that have been served under the offices of the bill that were passed.
- Fair Chance – look at how many individuals have applied for a license with a criminal background.
- Convictions that could have been grounds for disqualification and what stage of the process was this notification done.
- Operating procedures/policies from states that are most like those of North Dakota's? Should that question be asked or investigated further?
- Commissioned of convictions; time limits, 7 year or permanently banned; crimes that are non-rehabilitative.

### **NEXT MEETING/ADJOURN**

The agenda item - Recommendation overview was not discussed and would be carried over to the next meeting agenda.

Meeting was unanimously adjourned at 11:00 a.m.