

# Executive Order

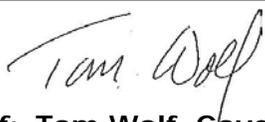
## Commonwealth of Pennsylvania Governor's Office

**Subject:**

**Review of State Professional and Occupational Licensure Board Requirements and Processes**

**Number:**

**2017-03**



**By Direction of: Tom Wolf, Governor**

**Date: October 24, 2017**

WHEREAS, according to the White House report on occupational licensing, 20.2 percent of Pennsylvania workers have an occupational license. The share of workers licensed at the State level has grown rapidly since the 1950s with more than one-quarter of U.S. workers now requiring a license to work in their respective jobs; and

WHEREAS, the Bureau of Professional and Occupational Affairs (BPOA) within the Pennsylvania Department of State provides administrative and legal support to 29 professional and occupational licensing Boards and Commissions; and

WHEREAS, the Commissioner of BPOA is responsible for carrying out the duties set forth in the Administrative Code, including providing administrative support and services to the occupational licensing Boards and Commissions; and

WHEREAS, regulatory Boards and Commissions and occupational licensure serve to protect the public from harm and benefit workers; and

WHEREAS, onerous licensing requirements, excessive fees, and strict criminal history and other policies can create unnecessary barriers for Pennsylvanians who want to enter the job market.

NOW, THEREFORE, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby order and direct the Commissioner of Professional and Occupational Affairs within the Department of State as follows:

1. The Commissioner shall work with each Board and Commission stated in this Executive Order to undertake a critical and comprehensive review of the processes, fees, training, and continuing education requirements for occupational and professional licensure. The Commissioner shall prepare a report for each type of professional and occupational license issued by each Board or Commission. At a minimum for each type of professional license, this report shall include training requirements; licensing, registration, and renewal fees; continuing education requirements; and any other requirements described within this Executive Order. The report shall also include information regarding the number of other states which require a license for each professional or occupational license, the national and regional averages for training requirements, fees, and continuing education requirements.
2. The Commissioner may establish an advisory group to assist with the research, data collection, and formatting of the reports, and any other function the Commissioner deems necessary. The advisory group shall be composed of members chosen by the Commissioner from the professional Boards and Commissions, BPOA staff, and any other persons the Commissioner deems necessary. The Commissioner shall have 30 days from the effective date of this Executive Order to establish the advisory group.
3. For the purposes of this Executive Order, "regional" shall mean the Northeast quadrant of the United States, including Ohio, West Virginia, Maryland, Delaware, New Jersey, New York, Massachusetts, Rhode Island, Connecticut, New Hampshire, Vermont, and Maine.
4. For each of the requirements and fees identified in paragraph (1), if the requirement or fee in Pennsylvania is above the national or regional average for that license, the report shall include justification for the requirement with respect to protecting the public health and safety of the residents of the Commonwealth of Pennsylvania. For each of the requirements and fees identified in paragraph (1), the report shall indicate whether the requirement or fee is mandated by statute, regulation, or policy.
5. For each occupational or professional license, the report shall identify which other states also provide the same or an equivalent license.
6. The report shall also include any automatic criminal history bans on licensure, specifying which crimes or convictions trigger an automatic ban and if a ban lasts for a specific period. If the criminal history ban is not applied in a majority of other regional states with the same or an equivalent license, the report shall provide justification with respect to protecting the public health and safety of the residents of the Commonwealth of Pennsylvania. The report shall indicate whether the criminal history ban is mandated by statute, regulation, or policy.
7. The report shall include any Interstate Compacts or Reciprocity Agreements that exist and identify to which states they are applicable. For the purposes of this Executive Order, an Interstate Compact or Reciprocity Agreement is any agreement that allows a license or credential issued by another state to satisfy Board or Commission licensure requirements in Pennsylvania.

8. The report shall include the following information for each Board and Commission:
  - a. The number of disciplinary actions imposed on licensees each year for the last five years, including fines, penalties, license suspensions, and other disciplinary actions, and the ten most frequent violations resulting in a fine;
  - b. Any disciplinary actions taken against persons practicing without a license or practicing with an expired or suspended license, and;
  - c. The average timeframe for approval for each type of license.
9. The report shall contain demographic information, including but not limited to, race, ethnicity, gender, and regional statistics of its licensee population and professional community.
10. The Commissioner shall submit the report including the information required in this Executive Order to the Governor, the Secretary of Policy and Planning, and the Secretary of the Commonwealth no later than 180 days from the establishment of the advisory group in paragraph (2) or 210 days from the effective date of this Executive Order, whichever is sooner.
11. For the purposes of this Executive Order, the term "Board" includes without limitation, the State Board of Accountancy, the State Architects Licensure Board, the State Board of Auctioneer Examiners, the State Board of Barber Examiners, the State Board of Certified Real Estate Appraisers, the State Board of Chiropractic, the State Board of Cosmetology, the State Board of Crane Operators, the State Board of Dentistry, the State Board for Professional Engineers, Land Surveyors, and Geologists, the State Board of Funeral Directors, the State Board of Landscape Architects, the State Board of Massage Therapy, the State Board of Medicine, the State Board of Nursing, the State Board of Nursing Home Administrators, the State Board of Occupational Therapy, the State Board of Optometry, the State Board of Osteopathic Medicine, the State Board of Pharmacy, the State Board of Physical Therapy, the State Board of Podiatry, the State Board of Psychology, the State Board of Social Workers, Marriage and Family Therapists, and Professional Counselors, the State Board of Speech-Language Pathology and Audiology, the State Board of Vehicle Manufacturers, Dealers, and Salespersons, the Navigation Commission, and the Real Estate Commission.
12. **Effective Date.** This Executive Order shall take effect immediately.
13. **Expiration Date.** This Executive Order shall expire after the final report is delivered to the Governor, the Secretary of Policy and Planning, and the Secretary of the Commonwealth.