

HOUSE BILL REPORT

HB 1360

As Reported by House Committee On:
Consumer Protection & Business

Title: An act relating to alternative licensing standards of professional licenses.

Brief Description: Concerning alternative professional licensing standards.

Sponsors: Representatives McClintock, Walen, Corry, Cheney, Waters, Barnard, Ybarra and Couture.

Brief History:

Committee Activity:

Consumer Protection & Business: 1/25/23, 2/1/23 [DPS].

Brief Summary of Substitute Bill

- Allows the Department of Licensing to consider competency-based standards for professional licenses.

HOUSE COMMITTEE ON CONSUMER PROTECTION & BUSINESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Walen, Chair; Reeves, Vice Chair; Corry, Ranking Minority Member; McClintock, Assistant Ranking Minority Member; Chapman, Cheney, Connors, Donaghy, Hackney, Ryu, Sandlin, Santos and Volz.

Staff: Megan Mulvihill (786-7304).

Background:

The Department of Licensing (DOL) regulates a number of businesses and professions. For regulated professions, the DOL issues licenses and ensures compliance with professional standards and laws.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Examples of professions regulated directly by the DOL, or in coordination with a board or commission, include:

- architects;
- cosmetologists;
- funeral directors;
- real estate brokers; and
- security guards.

Requirements for a professional license, certificate, registration, or permit vary considerably. Some professions may require:

- college-level coursework;
- experience;
- an examination;
- some type of background check;
- a surety bond, insurance, or other minimum financial standards;
- minimum safety standards;
- continuing education for licensees; or
- duties of care for clients.

Many professions have provisions for some form of reciprocity or consideration of experience from other states or military service. In addition, the DOL and other licensing authorities must expedite the issuance of a broad range of professional licenses, certificates, registrations, or permits for qualified military spouses.

Summary of Substitute Bill:

The DOL may issue a professional license, without regard to other requirements, to an applicant who meets all competency-based licensing requirements for that specific professional license.

"Competency-based licensing requirement" is defined as a practical assessment of knowledge and skills that clearly demonstrates a person is prepared to engage in a profession regulated by the DOL. The DOL must determine that the competency-based licensing requirement is at least as effective as examination-based licensing requirements at demonstrating proficiency and protecting the health and safety of the public. A competency-based licensing requirement may include, but is not limited to, any combination of training, experience, testing, or observation.

When a reciprocity agreement is in place with a national organization to facilitate the licensing of out-of-state professionals, the DOL must continue to regulate the licensing in accordance with that agreement.

Substitute Bill Compared to Original Bill:

The effective date was changed from January 1, 2024, to March 1, 2025.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect on March 1, 2025.

Staff Summary of Public Testimony:

(In support) The DOL is permitted to consider competency-based standards while keeping industry standards. This legislation shows that state government is sensitive to people's plans and needs, and it is practical. By permitting the DOL to have another type of testing option available, it helps get people into the workforce. If individuals can demonstrate that they can do a job safely and effectively, they should be able to do that.

(Opposed) This has the effect of eliminating theoretical practice and creating a sweeping change of standards. Both practical and theoretical training are important to licensing. Some licensing may benefit from competency-based testing, but without theoretical understanding certain licensees may not meet standards.

Persons Testifying: (In support) Representative Stephanie McClintock, prime sponsor; and Paul Guppy, Washington Policy Center.

(Opposed) Sybill Hyppolite, Washington State Labor Council, American Federation of Labor and Congress of Industrial Organizations.

Persons Signed In To Testify But Not Testifying: None.