



**CLARB**  
**ASLA**

# Joint Licensure Summit

November 15, 2023

# Agenda



2023 Legislative Recap



2024 Legislative Look Ahead



Uniform Standard Progress Update



ARPL 2023 Recap & 2024 Priorities





# 2023 Legislative Recap

- Total Occupational Bills: 145
- Universal Licensing: 22
- Military/Spouse: 7
- Sunset: 7
- Consumer Choice: 1





# Deregulation Attempts

## South Carolina

- Bill continues into 2024 but will likely fail in committee

## Virginia

- Bill has failed

## New Hampshire

- Landscape architects removed from the bill



# 2023 Reform Trends

Prior licensing review committees in Iowa, New Hampshire, and Utah led to significant reform proposals

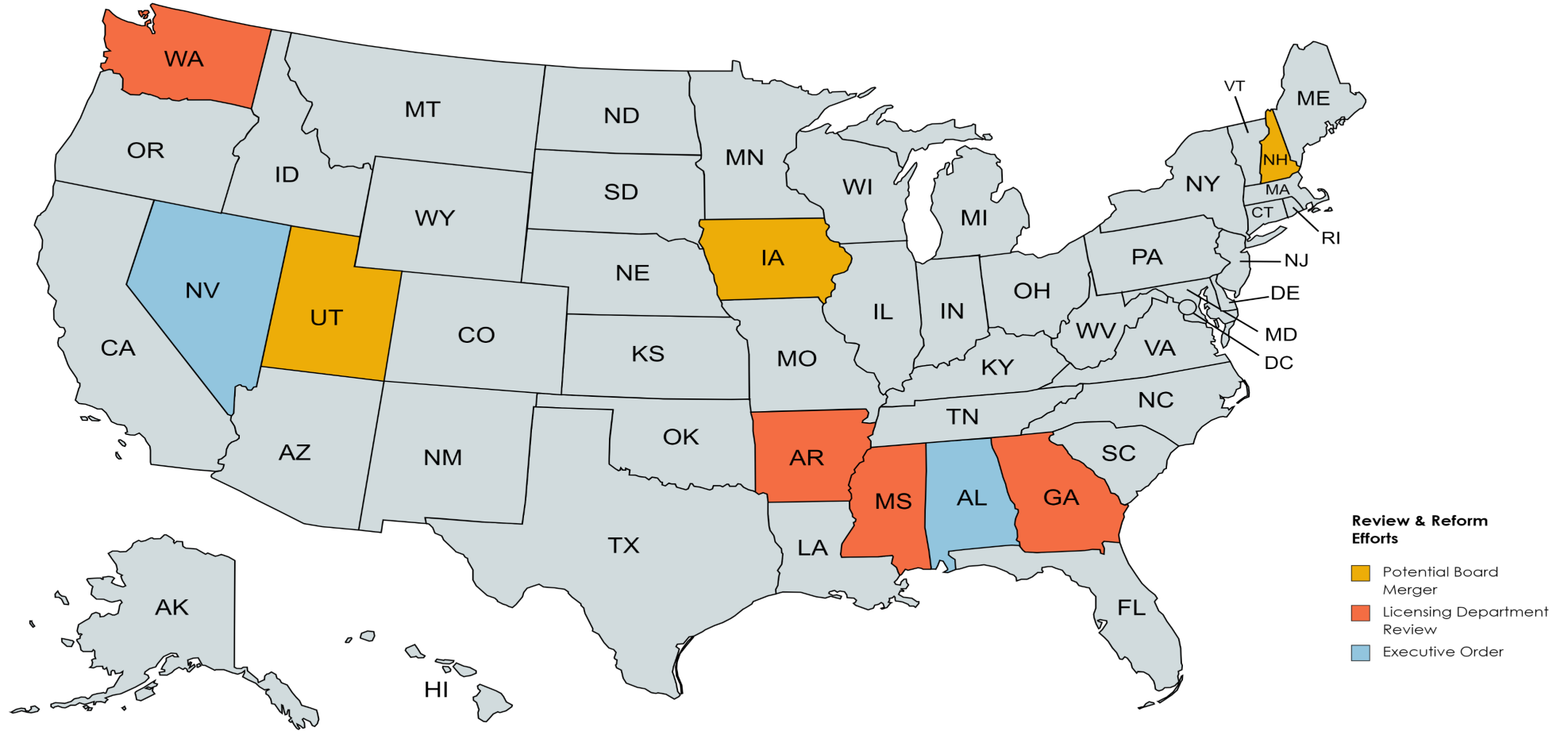
Additional legislation passed this session to establish review committees in new jurisdictions

Aim to restructure licensing departments, reduce the size of Boards, and combine related Boards

Transfer of power from Boards to licensing department staff



# Licensing Reviews and Reforms



# Potential Board Mergers

## Utah

- Submitted report required by legislation
- Will be reviewed in the 2024 legislative session
- Chapter lobbyist engaging

## New Hampshire

- Conversations with architects
- Control reform effort
- Work with licensing department before legislative session



# Iowa Reform Effort



Board and Commission Review  
Committee



Eliminate, consolidate/merge,  
reorganize/other change,  
continue as is



Landscape Architect Board  
scheduled for review in 2024



Proposed merger with  
architects

- Architectural Examining Board. In addition to assuming the duties of the Landscape Architectural Examining Board, the Board's membership should be reduced from 7 to 5 members, to include three licensed architects, one landscape architect, and one public member. The requirement that a licensed practitioner is only eligible to serve on the Board once in active practice for five years preceding the appointment should be removed to expand the number of Iowans eligible to serve on the Board.
  - Landscape Architectural Examining Board. This Board should be eliminated, and its functions transferred to the Architectural Examining Board.





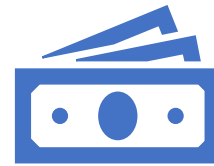
# Alabama Reform Effort



Started with an executive order



Established the Study Group on Efficiency in State Government



Supported by Treasurer



Based on failed legislation



# Arkansas Review



Questionnaire focused on harm, unlicensed practice



Joint response with architects and interior designers



Accountants and engineers recently reviewed

## ALC – Occupational Licensing Review Subcommittee Occupational Entity Questionnaire

Responses to the following questions are due via email to Subcommittee staff no later than the 15<sup>th</sup> of the month immediately preceding the month the occupational authorization is scheduled for review by the Subcommittee.

1. Would consumers be at risk of substantial harm if Arkansas did not have this occupational authorization? What instances of specific and substantial harm have been documented in the past year?
2. How many complaints were made to the occupational entity by consumers being harmed by unauthorized practitioners? What specific action was taken by the occupational entity?
3. How many complaints were made to the occupational entity by consumers being harmed by authorized practitioners? What specific action was taken by the occupational entity?



# Washington Review

## Department of Licensing – Professional License Review Act in 2024

Court Reporters, Employment Agencies, Landscape Architects, Whitewater Outfitters

### What is the professional license review act?

In the 2023 Legislative Session, [HB 1301 “Professional License Review”](#) passed, requiring the Department of Licensing (DOL) to: “annually review and analyze approximately 10 percent of the professional licenses regulated by the department and prepare and submit an annual report”. This process will provide a review of all business and professional licenses in 10-year cycles.

### What professions are being reviewed?

For the 2024 reporting cycle, DOL will be reviewing the four following professions:

- Court Reports
- Employment Agencies
- Landscape Architects
- Whitwater Outfitters

### What are we doing?

DOL is beginning the review of the indicated professions, which includes stakeholder outreach. This notification is serving as a beginning awareness of the review. We will send further communications as needed. For the detailed requirements of the review, please read [HB 1301 “Professional License Review”](#).

### When will these changes be implemented?

The research and planning for the report are currently being conducted. The first report is due to the legislature August 31, 2024.

Started with  
legislation

Landscape  
Architects in the  
first review group

Stakeholder  
outreach



# 2024 Legislative & Regulatory Forecast

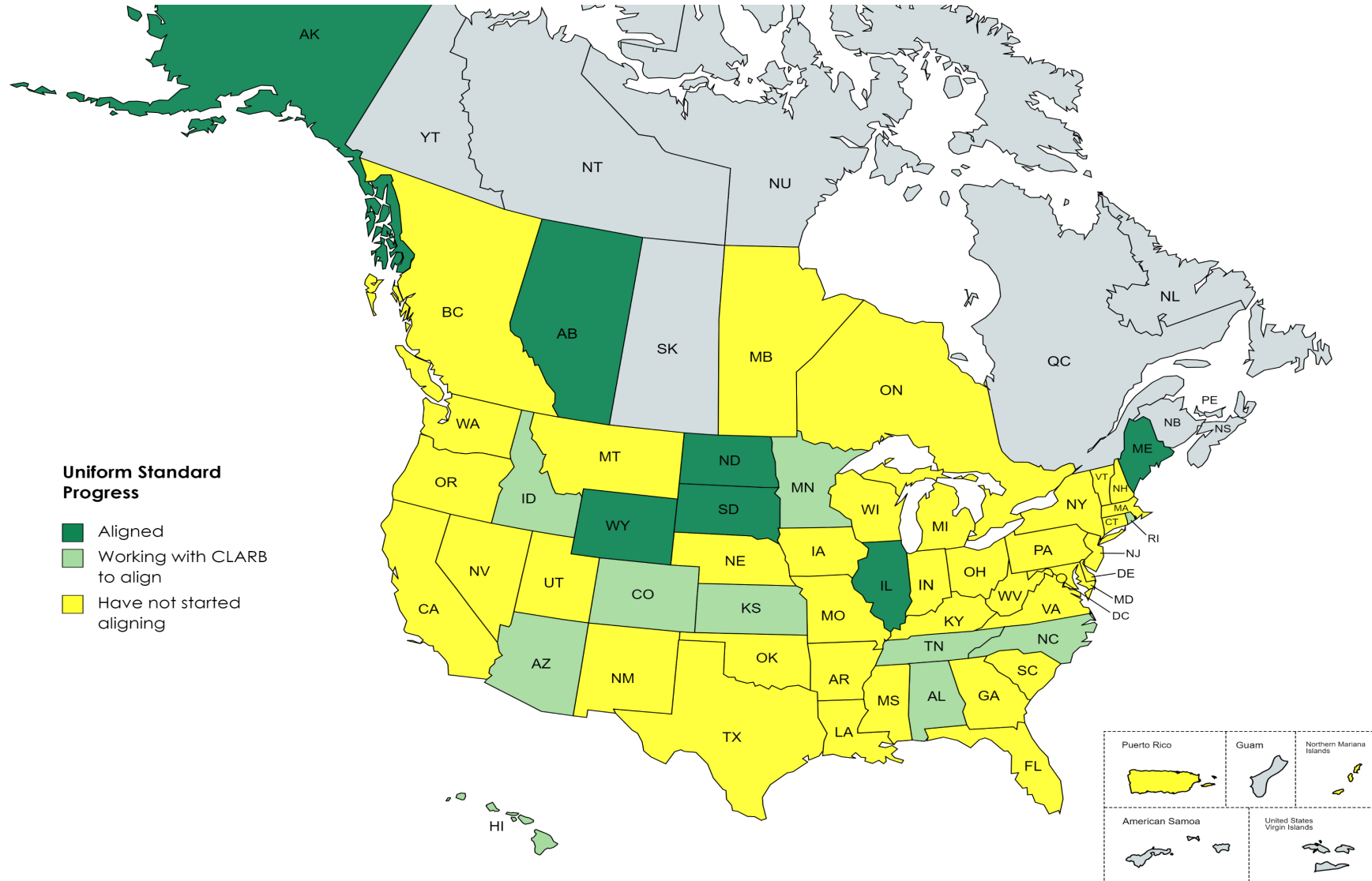
First and foremost...more of the trends that we saw in 2023:

- Mobility challenges
- Continued scrutiny on the boards

We also anticipate more subtle *threats* and more subtle *fronts* challenging professional licensing.



# Uniform Standard Update





## PROFESSIONAL LICENSURE (1964, R1994, R2000, R2001, R2002, R2018, R2023)

### Policy Statement

The American Society of Landscape Architects endorses, supports, and promotes state regulation of the practice of landscape architecture in all 50 states, the District of Columbia, and U.S. territories ASLA also supports and encourages qualified individuals to pursue professional licensure as a means to protect public health, safety, and welfare in the delivery of landscape architectural services.

ASLA believes:

- the enactment of a uniform state licensure framework—in all 50 states, the District of Columbia, and U.S. territories—is essential to protect the public health, safety, and welfare.
- licensure through a statutory practice act is the most appropriate form of regulation of the profession, which allows the licensing jurisdiction to define a necessary level of minimum professional competency by setting legal prerequisites in education, experience, and examination for obtaining licensure and setting continuing education requirements.
- continuing education is necessary for professionals to expand upon and grow current knowledge and best practices in public health, safety, and welfare.
- licensure assures public and private consumers that the licensed landscape architect has met a minimum set of professional standards and is qualified to provide services within the profession's regulated scope of practice.
- the practice of landscape architecture should only be performed by—and the titles “landscape architect” and landscape architectural” should only be used by—individuals as defined, titled, and governed by statutes, regulations, and licensing boards.

### Justification

Landscape architects are subject to professional regulation in all 50 states, the District of Columbia, and several U.S. territories due to the significant and substantial risks of physical injury, harm to property, and potential for economic damage when landscape architectural services are poorly performed. Licensing of the profession provides a broad base of protection to public health, safety, and welfare. State professional licensing is a cost-effective measure to ensure a minimum level of competency and to discourage or prohibit the practice of landscape architecture by unqualified individuals.

# 2023 Updates to ASLA Licensure Public Policies



ARRPIL

Alliance for Responsible  
Professional Licensing



# ARPL's FOCUS IN 2023

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# Amplifying Missing Perspectives on Licensing: Business

- The survey of more than 600 business decision-makers highlights an important and missing perspective in the licensure debate.
- Businesses rely on licensing to determine minimum qualifications and preserve the trust and reputation of their businesses.
- Eliminating licensing requirements isn't a good fix for businesses. It creates more challenges and risks for businesses and the public they serve.

**Businesses that rely on highly complex and technical professions need assurance that their employees are qualified and competent.**

Licensing is essential to provide this assurance and to maintain the safety and financial health of the public.

92%

92% of business decision-makers say it is important to require CPAs, engineers, architects, landscape architects, and surveyors to have a license to practice.

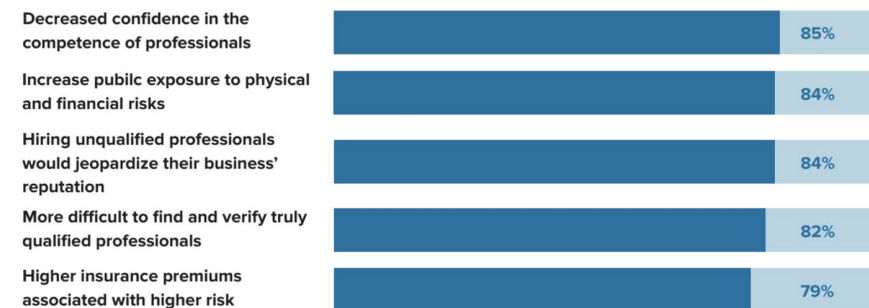
90%

90% of all providers and users say that professional licensing protects customers and the public from receiving substandard work.

*"[Licensing is] crucial to have high standards for knowledge and skill for work with a significant impact. Professional licensing guarantees that professionals are competent and have met the requirement for carrying out the task in a safe and efficient manner." -Licensing User, Restaurant Industry*

**Businesses oppose changes to existing licensing regulations that could pose risks and complications for their business and customers.**

Businesses are very concerned by the negative implications of weakened or eliminating licensing standards. The chart below depicts possible ramifications of anti-licensing and the percentage of business owners surveyed who share that concern.



# PROMOTING OUR RESEARCH FINDINGS

The findings were promoted across numerous platforms, including:

- **Earned Media:** An op-ed leveraging the findings was published in September.
- **Lawmaker Education Collateral:** A handout promoting the findings was featured in the official meeting packet of the Commerce, Insurance, and Economic Development (CEID) Task Force at the ALEC Annual Meeting in July.
- **Forum Discussions:** The findings were reported at ALEC's Economic Liberty University in January.

## WORKFORCE

### A False Solution for Our Workforce Challenges

Weakening licensing requirements for high-impact technical professions doesn't help businesses. They value it in their hiring to maintain service quality and avoid liability and reputational damage.

OPINION | Sept. 6, 2023 • Michael Armstrong and Marta Zaniewski

**GOVERNING**  
THE FUTURE OF STATES AND LOCALITIES

## THE CRITICAL ROLE OF LICENSING IN BUSINESS SUCCESS

*Anti-licensing bills are not the solution that works for businesses*

**ARPL**  
Alliance for Responsible  
Professional Licensing

Anti-licensing activists argue that weakening or eliminating licensing requirements will benefit businesses. It turns out that businesses think otherwise. A recent survey of 600 decision-makers for small- and mid-size businesses across the U.S. finds strong, unified support for the responsible licensing standards they depend on.

**Businesses that rely on highly complex and technical professions need assurance that their employees are qualified and competent.**



# TAPPING INTO NEW AUDIENCES

## Why Contractors Should Care About Licensing

The Art of Construction

Entrepreneurship



Marta Zaniewski

Vice President, State Regulations & Legislative Affairs  
Association of International Certified Professional Accountants



# ARPL PRIORITIES IN 2024

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# ARPL's Priorities in 2024

Recently, ARPL members were surveyed to better understand the coalition's priorities for the year ahead.

## Here's what rose to the top:

- 1.) Defend Against Harmful Anti-Licensing Legislation
- 2.) Defend Licensing Boards and Promote Their Value
- 3.) Engage on Workforce Development Challenges



Restoration Strategy I: Diversify plant community structure

# Key Take-Aways for 2024

- Be proactive
- Be consistent
- Be vigilant
- Be responsive to national trends
- Communicate with ASLA & CLARB staff



Phragmites dominated plant communities

Dry Specialists

Wet Specialists

Occasional Water Level

Normal Water Level

Restoration Strategy II: Stratify geohydrology



# QUESTIONS

## **2024 Licensure Summits: Mark Your Calendars!**

- March 6, 2024: Web Licensure Summit
- June 5, 2024: Web Licensure Summit
- September 17-18, 2024: ASLA/CLARB Licensure Summit, (Buffalo, NY)

