

**House Committee on Commerce, labor and Economic Developments**

1:30 PM Room 112-N February 13, 2020

Written Testimony Opposing HB2506

Submitted by Victoria Rajewski, Topeka resident

Dear Chairman Tarwater and Members of the Committee,

I am sending this letter to voice my disapproval of House Bill No. 2506 regarding occupational licenses for military service members and/or military spouses. This bill is literally forcing every licensing agency within the state of Kansas to license any applicant who takes this flagrant sidestepping of licensure requirements.

Sections 48-3406(a) gives the definition “Private certification’ is a voluntary program in which a private organization grants nontransferable recognition to an individual who meets personal qualifications and standards relevant to performing the occupation as determined by the private organization.”

Kansas agencies would be forced to accept whatever questionable practices this would initiate as an equivalent to the safeguards in place for Kansas professional licensees and residents.

That single definition blatantly gives unchecked authority to any “fly-by-night” entity to engage in selling or even giving credentials stating a person is worthy of any license, certificate or ability to practice ANY profession within the state of Kansas. This practice would be ludicrous. Imagine how quickly “Acme Licensing Online” would become a billion dollar enterprise.

Section 48-3406(c) dictates that if an applicant’s current situation of certification or licensure has lower credentials than Kansas agency requirement for those professions, then such agency SHALL issue a temporary permit, but may revoke it if the information provided is found to be false. This is essentially making an agency undo what it should have never been forced to do prior. This process undermines reciprocity statutes already in place for Kansas agencies by again forcing those agencies to allow a person not qualified by Kansas standards to practice. That allowance is not considered for Kansas residents or any other person relocating to Kansas from anywhere in the world except those who are married to military service members.

This is not a way for military service members or their spouses to become more streamlined in a licensing process, it is an open invitation to “private certification” mills to create an unimaginable number of certificates to whatever person is willing to pay whatever fee these entities can collect. The only prerequisite would be enlistment or finding a military spouse. These people need not be citizens, trained in the profession or even Kansas residents for this action to be forced upon professional licensing agencies within our state. There are federal programs already mandated and in place that give special employment considerations to veterans and “spousal preference” for hiring purposes at military installations.

Further, verifying applicant claims would create a logistical nightmare for agencies. Military spouses are from every country, territory and region of the world. Licensure requirements, if there are any in place in those locales, would take money and time to verify. The language barrier alone is phenomenal to overcome. This burden should be on the applicants. A person licensed or certified in a profession, vocation or trade, should have the responsibility of proving this to a licensing agency in any place they are asking it be recognized.

This action would also impact all other states, entirely unbeknownst to them. Those states currently and rightfully presume that professional licenses in Kansas are given to a person trained and/or tested by our agencies as would be normal procedure.

Again, forcing agencies to license individuals with a mandatory temporary permit, regardless if such applicant's place of origin has no prior requirement of education and/or training, could have significantly harmful effects on the residents of our state. Imagine a person from an underdeveloped country claiming to have worked as a surgeon or a mental health professional, claiming records are delayed in transit, and a "private certification" has been issued to this person. You are forcing the Kansas agency responsible for licensing this profession to issue a license while waiting to receive further verification, IF there is any such requirement in their place of origin, or previous place of residence. And if this information is found to be false, the agency now facing the cost, time and other commitments required to locate, verify and or initiate proceedings against this individual to revoke a license that was issued prior to agency being allowed to validate the claim of qualifications of this person.

This is a terrible disservice to residents of Kansas, as well as every state who has professional licensing reciprocal agreements with Kansas and to any professional licensing agency or organization who strive to maintain education, public safety and accountability standards.

This bill should be soundly defeated for these reasons. Thank you for your consideration to this matter and thank you for your service to the citizens of Kansas.

Sincerely,  
Victoria Rajewski