

Georgia General Assembly House Budget and Research Office

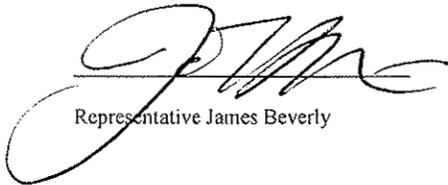
This report is submitted pursuant to the following resolution,

HR 549,

*which created the House Study Committee on Professional Licensing Boards,
to which members were appointed by the Speaker of the House of Representatives*



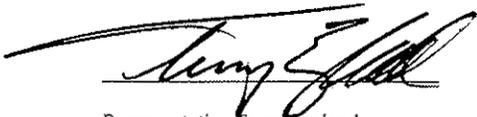
Representative Ed Rynders, Chairman



Representative James Beverly



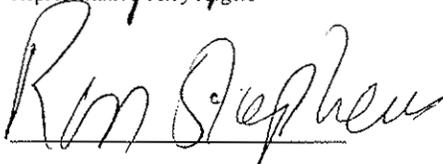
Representative Robert Dickey



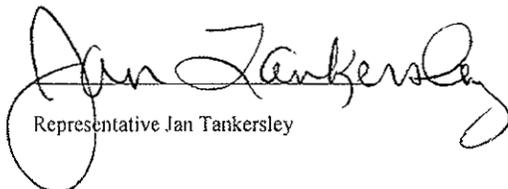
Representative Terry England



Representative Terry Rogers



Representative Ron Stephens



Representative Jan Tankersley

House Study Committee on Professional Licensing Boards

Report of the Committee
December 1, 2013

House Resolution 549

By: Representatives Rynders of the 152nd, England of the 116th, Meadows of the 5th, Jones of the 47th, and O`Neal of the 146th

A RESOLUTION

1 Creating the House Study Committee on Professional Licensing Boards; and for other
2 purposes.

3 WHEREAS, professional licensing boards provide a public assurance that certain
4 occupations are performed by appropriately trained professionals; and

5 WHEREAS, such boards ensure the rigor of education in professions that affect public safety
6 and can promote best practices in regulated professions; and

7 WHEREAS, licensing of occupations provides a structure for enforcing the standards and
8 integrity of the members of a profession; and

9 WHEREAS, it would be beneficial to review the existing structure of licensing boards in
10 Georgia to determine whether such structure:

11 (1) Is streamlined, optimizes efficiencies of scale, and provides for the appropriate state
12 entity or entities to oversee licensing boards;

13 (2) Provides adequate staffing needs;

14 (3) Includes available, affordable technologies for faster, more reliable electronic record
15 keeping;

16 (4) Currently assesses adequate licensing fees to support the direct and indirect costs to the
17 state for the various boards to provide such services; and

18 (5) Is effective and efficient relating to any matters associated with licensing professions
19 in this state.

20 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
21 there is created the House Study Committee on Professional Licensing Boards to be
22 composed of seven members of the House of Representatives to be appointed by the Speaker
23 of the House of Representatives. The Speaker shall designate a member of the committee
24 as chairperson of the committee. The chairperson shall call all meetings of the committee.

25 BE IT FURTHER RESOLVED that the committee shall undertake a study of the issues
26 raised herein. The committee shall recommend any actions or legislation which the
27 committee deems necessary or appropriate. The committee may conduct such meetings at
28 such places and at such times as it may deem necessary or convenient to enable it to exercise
29 fully and effectively its powers, perform its duties, and accomplish the objectives and
30 purposes of this resolution. The members of the committee shall receive the allowances
31 provided for by Code Section 28-1-8 of the Official Code of Georgia Annotated but shall
32 receive the same for not more than five days unless additional days are authorized. The
33 funds necessary to carry out the provisions of this resolution shall come from the funds
34 appropriated to the House of Representatives. In the event the committee makes a report of
35 its findings and recommendations, with suggestions for proposed legislation, if any, such
36 report shall be made on or before December 1, 2013. The committee shall stand abolished
37 on December 1, 2013.

Georgia House of Representatives

**House Study Committee on Professional
Licensing Boards**

Members of the Committee

Representative Ed Rynders, Chairman

Representative James Beverly

Representative Robert Dickey

Representative Terry England

Representative Terry Rogers

Representative Ron Stephens

Representative Jan Tankersley

Staff

Craig Foster

Research Analyst

House Budget and Research Office

Shawn Marie Story

Office of Legislative Counsel

Introduction and Hearings

During the 2013 Legislative Session, HR 549 was adopted creating the House Study Committee on Professional Licensing Boards (PLBs). The Committee was tasked with studying the current PLB system to determine what, if any, statutory changes could be made to improve the PLB system's operations and report those recommendations to the Speaker of the House.

A total of five meetings were scheduled over the course of the committee's study. The first meeting was held on Monday, September 9th, at the Professional Licensing Board Division's (PLB) headquarters in Macon, Georgia. Secretary of State, Bryan Kemp, his PLB Division staff and the members of the study committee were present at the meeting. The purpose of the meeting was for the Secretary of State to give the study committee an overview of the PLB Division's operations, meet the division staff and conduct a tour of the facility.

The second and third meetings were held on September 10th and 11th in Atlanta in the Coverdell Legislative Office Building. Members of all 42 licensing boards as well as representatives from the SOS's Office and the PLB division were invited and given the opportunity to testify before the study committee. They were asked to comment on any issues they had with the current PLB system; especially those issues that may be addressed legislatively.

The fourth and fifth meetings were also held in Atlanta in the Coverdell Legislative Office building on November 4th and November 25th. The purpose of these meetings was to discuss the committee's findings and establish their recommendations to the General Assembly.

Foundations of the Committee's Study

The information gathered to complete the committee's study came from the following sources:

1. A primary source for information came from testimony given before the committee. Members of the various licensing boards, individuals licensed by those boards, representatives from professional associations, representatives from the Secretary of State's Office and the PLB Division testified before the committee.
2. Prior to the first meeting, a memorandum was sent to all Professional Licensing Boards (PLBs). The memo directed them to a page on the Georgia House of Representatives web site. On this page was an electronic questionnaire each PLB was asked to complete and submit by August 28th 2013. Along with some general questions about each board, one question asked the PLBs to state any issues they have with the current PLB system. Most boards submitted a response.
3. An analysis was done on each board within the Georgia Code establishing its legal foundation, board make-up, terms of office and license renewal period.
4. An analysis was done on each board examining its structure. Items included were the number of active licenses, types of licenses and the cost of those licenses.
5. An organizational chart was created illustrating the PLB system's structure as it relates to the PLB division administration and the individual boards.
6. A tour was taken by the committee of the PLB headquarters in Macon, Georgia, for the purpose of seeing firsthand how the PLB system operates and to interact with the PLB division staff.

Findings and Recommendations

After careful consideration of the information presented to the committee and thorough discussion by its members, the committee makes the following recommendations:

1. Some boards allow the PLB Division staff to handle minor investigations of their licensees without requiring each violation to be brought before the board. This practice should be established by all boards, and by doing so, boards will relieve some of their workload by reducing the need for meetings or by shortening meetings. However, it may require additional staff in the PLB Division.
2. All license applications and application for renewal should be done online. This will eliminate costs associated with paperwork and enhance the efficiency of the process.
3. Boards and PLB staff should utilize more paperless options for the retention and printing of records, notifications, etc.
4. Boards should be required to have and maintain a website. The website should contain an online manual for the board that provides the parameters for the responsibilities, rules and regulations of the board. Better informed licensees will make fewer mistakes, have fewer questions, and thereby, require less work from administration staff. The website should also contain FAQ's that cover the most documented inquiries going to the SOS's call center. This will reduce staff workload by reducing the number of calls to the call center.
5. The PLB division should explore new technologies that are more efficient than current technologies. One area would be utilization of videoconferencing for meetings. This will reduce travel expense to Macon for board meetings. It could possibly be accomplished by partnering with other state agencies to establish a statewide, accessible network.

6. PLB administrators should pursue all national organization testing/certification options and partnerships to minimize the need for state sponsored activities. They should also maximize state reciprocity in licensing to reduce redundant paperwork for applicants and administration.
7. The Secretary of State should recommend to the General Assembly any existing boards that should be combined into one. It should be noted that a recommendation similar to this recommendation was proposed in the 1992 report by the Governor's Commission on Effectiveness and Economy in Government. By combining boards, efficiencies are achieved by lowering the cost and workload of PLB staff in administering board meetings and paying per diems and travel expenses. Their proposal would have decreased the number of boards from 38 to 23. The total expected savings to the state was \$80,000. Therefore, there are minimal, if any savings.
8. The General Assembly may extend, at the request of the SOS's Office; license renewal periods beyond the statutorily set period of two years for boards that wish to do so. During testimony, the Conditioned Air Contractors, Dieticians and the Funeral Service Providers Boards expressed interest in extending the renewal period from two years to four to six years. In order to do this, the boards would have to increase their renewal fees to an amount equal to the amount lost by not renewing every two years.
9. License renewal periods for individuals holding multiple licenses should occur concurrently so as to reduce confusion and simplify the licensure process.
10. All licensing boards should be required to submit their licensee's conviction notices to the Attorney General within 30 days.
11. The General Assembly, with the aid of the SOS's Office, the Attorney General's Office, the Association of County Commissioners of Georgia (ACCG), the Georgia Municipal Association (GMA), and other representatives from local governments should further study establishing a civil fines structure that allows the SOS's investigators to issue civil fines to unlicensed practitioners either outright or in cooperation with local jurisdictions. Under current law, investigators may only issue Cease and Desist Orders. By the time

law enforcement has a chance to follow-up, the unlicensed practitioner has completed the job and moved to another location.

12. After December 1st, 2014, the SOS's office should undertake a performance review of the PLB system, accounting for any changes they have made to the system, and report back to the General Assembly the findings from that review.