



February 23, 2021

Dear Chairman Olson and Members of the Committee:

On behalf of Americans for Prosperity in Kansas, I thank you for this opportunity to testify in favor of SB 137, a bill that would create a form of licensing recognition for out of state credentials in Kansas.

As other states increasingly enacting forms of licensing recognition, this bill would significantly reduce occupational barriers between Kansas and the rest of the country, bringing Kansas forward as a national leader. With some additional stipulations such as being in good standing, this bill provides a path to a license in Kansas to people in military and civilian families moving here with:

- A valid government license or certificate from another state with similar scope of practice and one year of experience;
- Two years of work experience and private sector certification performing an occupation licensed in Kansas if coming from a state that doesn't license the profession; and
- Three years of work experience performing an occupation licensed in Kansas if coming from a state that doesn't license the profession

Additionally, this legislation would allow licensing boards to grant temporary licenses for any professions whenever a state of emergency is declared by the legislature, allowing Kansas to bring in health and other professionals immediately to assist during emergencies such as the COVID-10 pandemic.

Today, licensing burdens reduce employment opportunities for many Kansans, cutting off rungs on the economic mobility ladder for people trying to improve their lives. In fact, research shows that in more onerously licensed states, entrepreneurship¹ rates are lower among low-income residents and recidivism² rates are higher for ex-offenders due to decreased employment opportunities.

A recent national study³ found that governmental licensing barriers annually cost Kansas \$197 million in deadweight losses and \$3.1 billion in misallocated resources. This signifies that people are spending more than they would have, and on different things, than if our nation's many government licensing laws weren't creating barriers to accessing desired products and services. Along with continued licensing reforms in Kansas, SB 137 would make significant inroads in improving opportunity and economic growth in our state.

¹ <https://goldwaterinstitute.org/article/bootstraps-tangled-in-red-tape/>

² <https://uca.edu/acre/files/2019/02/Slivinski-Snyder-Licensing-and-Recidivism-DIGITAL.pdf>

³ https://ij.org/wp-content/uploads/2018/11/Licensure_Report_WEB.pdf

While SB 137 requires people coming to Kansas with professions under the board of healing arts to have substantially equivalent licensing backgrounds, AFP applauds this bill for streamlining recognition for other professions by focusing on matching professionals to licenses with a similar scope of practice. This is meaningful; recent research by the U.S. Department of Defense⁴ show how “substantially equivalent” language can delay applications, perpetuate arbitrary standards, and cause duplicative fees for military spouses. In order to evaluate whether an applicant’s licensing requirements are “substantially equivalent,” a licensing body must review course work, test scores, and training. This subjective, time consuming process delays employment and turns some people away from coming to Kansas altogether.

The licensing process can be streamlined by focusing on scope of practice and limiting review to the applicant’s out-of-state license, experience, and standing as would be the case for most professions if SB 137 is enacted.

Kansans and all who wish to move to Kansas to contribute to our economy, including military families, deserve the dignity of personal choice as consumers and the ability to support their families without undue government burdens. While often well-intentioned, today many government occupational licensing requirements are anti-competitive, needlessly burdensome, and ineffective⁵ at addressing public health and safety concerns. As we continue to drive internal occupational licensing reform, we urge you to support SB 137 and opens our doors to more jobs and consumer choice in Kansas.

Sincerely,

Elizabeth Patton

State Director

Americans for Prosperity- Kansas

⁴ <https://download.militaryonesource.mil/12038/MOS/Reports/military-spouse-licensure-report-2019.pdf>

⁵ https://www.brookings.edu/wp-content/uploads/2016/06/THP_KleinerBrief_final.pdf