



OPENING DOORS
OCCUPATIONAL LICENSING
REFORM IN OHIO
AFTER SENATE BILL 255

BY ANDREW J. KIDD, PH.D.;
GREG R. LAWSON; AND
JAMES B. WOODWARD, PH.D.
DECEMBER 5, 2019

Introduction

Ohio requires too many job-seeking professionals to ask the state's permission to do the work that they are trained to do. A byzantine, bureaucratic, and seemingly arbitrary system of occupational licensing fees and requirements stands between Ohioans and their chosen careers. The Buckeye Institute has long advocated reforming the state's broken system, and last year the Ohio General Assembly passed some of the most significant occupational licensing legislation in the country, which The Buckeye Institute championed.¹ Under the new law, Senate Bill 255, state licensing boards must justify the burdens they impose on applicants. A sunset provision gives every state board or agency a six-year shelf-life, which requires the Ohio legislature to review and reauthorize every board's or agency's existence. To aid the legislature's upcoming review, we have examined Ohio's current occupational licensing regime and recommend eliminating, reforming, or carefully scrutinizing dozens of burdensome, redundant, and unnecessary licenses.

Occupational licensing requirements impose a range of financial burdens on households that have aggregate economic consequences for the state. As The Buckeye Institute's *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back* explained, high fees and training requirements reduce an occupation's job growth by 20 percent, as prospective workers who cannot afford to enter the occupation remain unemployed or underemployed.² Our subsequent study, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*, observed that Ohio's

¹ **Search Results of Senate Bill 255**, BuckeyeInstitute.org (Last visited December 2, 2019).

² Tom Lampman, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back*, The Buckeye Institute, November 18, 2015.

occupational licensing requirements levy greater burdens on middle-aged and low-income workers, and those without a college degree.³ Ohio's licensing requirements have prevented more than 7,000 people between the ages of 25-45 from pursuing licensed occupations, and have discouraged countless people from coming to live and work in Ohio.⁴ Such losses diminish the state's workforce and needlessly weaken its tax base and revenues. With nearly 25 percent of Americans working in licensed professions, up from five percent in the 1950s,⁵ Ohio should be looking for ways to retain and attract quality professionals by letting them get to work, not making them jump through bureaucratic hoops.

Some occupational licensing, of course, serves a legitimate state interest in protecting the public's health and safety. Such concerns are usually used to justify the need for particular boards and licenses. Too often, however, unnecessary and expensive licensing requirements discourage job-seekers from entering their preferred profession and protect incumbents from competition.⁶ State laws and regulations governing occupational licenses perpetuate a system in which state authorized or mandated licensing boards develop and oversee their own licensing fees, requirements, and processes with little to no accountability. The result is a rather rigid licensing framework more concerned with maintaining the status quo and protecting special interests than improving administrative efficiency or relieving burdens.⁷

The lack of transparency and board accountability has led to vastly different organizational, operational, and fee structures across licensing boards and agencies even within the same state. Licensing and renewal fees ostensibly pay for the "administrative costs" incurred by the board, but those costs are rarely, if ever questioned or explained, leaving boards and agencies largely free to charge applicants as much as they might be willing to pay for a permission-slip to earn a living. With no justifications required, licensing boards' opaque fee structures lead to incongruous fee-to-service results with little obvious rhyme or reason. Those results prove especially incongruous when compared to fees charged by similar boards for similar licenses in other states. Why, for example, does Ohio charge athlete agents a \$500 registration fee, when New York can register athlete agents for just \$100?

Enter Senate Bill 255, which requires licensing boards to justify the fees they charge, the regulations they enforce, and the manner in which they enforce them. As Ohio policymakers carefully review the forthcoming justifications, they should seize the opportunity to continue reforming the state's occupational licensing regime by further reducing barriers to employment,

³ Orphe Pierre Divounguy, Ph.D., Bryce Hill, and Greg R. Lawson, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*, The Buckeye Institute, December 18, 2017.

⁴ *Ibid.*

⁵ *The State of Occupational Licensing: Research, State Policies and Trends*, National Conference of State Legislatures, October 11, 2017.

⁶ Morris M. Kleiner and Evan J. Soltas, *A Welfare Analysis of Occupational Licensing in U.S. States*, working paper, National Bureau of Economic Research, October 2019.

⁷ Rebecca Haw Allensworth, "**Foxes at the Henhouse: Occupational Licensing Boards Up Close**," *California Law Review*, Volume 105, Number 6 (December 2017) p. 1567-1610; and Anne Blythe, **US Supreme Court says NC dental board can't regulate teeth whitening**, NewsObserver.com, February 25, 2015.

lowering registration and application fees, and doing away with a redundant “permission-slip” system that keeps qualified, trained professionals from working in our communities.

Ohio’s Occupational Licensing Reform Can Curb “Permission-Slip” Policies

The Buckeye Institute has long called for robust occupational licensing reform in Ohio. Last year, the Ohio General Assembly passed Senate Bill 255 that then-Governor John Kasich signed into law before leaving office in early 2019. The ground-breaking legislation ended Ohio’s counter-productive, job-killing approach to occupational licensing. The new law establishes one of the most strident licensing review processes in the country by requiring state licensing boards periodically to justify the burdens they impose on job-seekers.⁸ Under the reform, the review process includes a sunset provision automatically eliminates a state licensing board or agency if it is not specifically reauthorized by the General Assembly at the end of a six-year period. This unique provision sets Ohio’s licensing reform apart from other states and helps to ensure that licensing boards and agencies remain accountable to elected representatives and not merely administrative officers.

Senate Bill 255 took several other positive steps toward unwinding Ohio’s “mother-may-I?” approach to the labor market. The new review process, for example, compares Ohio’s licensing regime to those in other states so that policymakers can revise licensing requirements and fees that do not align with similar requirements and fees across the country. It also requires Ohio to seek the “least restrictive regulation” as a means of consumer protection.⁹ The new law recognizes that licensing is the most restrictive job regulation, while market competition is the least. Intermediate levels of certification and regulation fill-in along the regulatory spectrum. Under Senate Bill 255, legislators reviewing Ohio’s licensing boards must now consider a total of 10, less-restrictive alternatives to licensing. One less-restrictive alternative to licensing, for instance, would allow workers to certify through the state or a professional organization that they have completed training or passed exams that attest to their professional competency.¹⁰ Under this approach, “uncertified” workers are not barred from the profession, but would be encouraged to raise their skill-level in order to be competitive in the market. Third-party certification requirements help ensure public safety and quality of service without the burdensome regulatory and bureaucratic processes that prevent people from performing jobs they are already trained to do.

With Senate Bill 255, Ohio can reverse its longstanding, job-killing policy of requiring certain workers to pay fees and get permission from the state just to earn a living.

⁸ **Ohio Governor Signs The Buckeye Institute-Championed Best-in-the-Nation Occupational Licensing Reform Policy**, The Buckeye Institute press release, January 4, 2019.

⁹ **Ohio Revised Code 4798 (2019)**.

¹⁰ Morris M. Kleiner, *Licensing Occupations: Ensuring Quality or Restricting Competition?*, W.E. Upjohn Institute for Employment Research, February 10, 2006.

Eliminate These “Permission-Slip” Burdens

As state policymakers review which licensing requirements the legislature should renew, revise, or eliminate, we offer the following recommendations to assist them. We begin with licenses and/or fees that are unnecessary and should be eliminated altogether.

Current regulations and private certifications that demonstrate professional competence allow for these licenses to be eliminated safely. Third-party certification and professional organizations already maintain rigorous processes that ensure certified professionals abide by widely-accepted industry standards without the need for redundant government oversight or added fees. Eliminating the following 16 licenses will let more Ohioans start their careers more quickly. (See Table 1.)

Table 1: Licenses Ohio Can Eliminate

License	Licensing Body	Savings for Job-Seekers ¹¹
Alternative Principal	Department of Education	\$40
Professional School Business Manager	Department of Education	\$200
Professional School Treasurer	Department of Education	\$200
High School Head Coach	Department of Education	\$45-\$75
Temporary Pupil Services	Department of Education	\$40
Lake Erie Fishing Guide	Department of Natural Resources	\$50
Certified Engineer	Environmental Protection Agency	NA
Acupuncturist	State Medical Board	\$103.50
Genetic Counselor	State Medical Board	\$203.50
Oriental Medicine Practitioner	State Medical Board	\$103.50
Physician Training Certificate	State Medical Board	\$133.50
Radiologist Assistant	State Medical Board	\$205
Cosmetic Therapist	State Medical Board	\$8,150
Dietitian	State Medical Board	\$228.50
Limited Dietetics Permit	State Medical Board	\$65
Home Inspector	Construction Industry Licensing Board	TBD ¹²



¹¹ Savings calculation is based on license fees and training costs that job-seekers would no longer need to incur in order to legally work in the listed occupation. Details are discussed for each occupation on subsequent pages.

¹² As of this writing, the licensing requirements for new home inspectors have not been published.

School Administrator Licenses (Alternative Principal, Professional School Business Manager, Professional School Treasurer)

These licenses needlessly restrict the pool of viable candidates for critical positions in schools. Basic minimum skill requirements can be listed in job postings instead of requiring board licensing, which will free school districts to choose their own best candidates to run their schools.

High School Head Coach

Ohio should eliminate the fee charged to become a high school head coach, that is, to receive a “pupil activity permit.” The permit already requires would-be coaches to pay \$65 for a National Federation of State High School Associations class, and undergo training for CPR, first-aid, concussions, and cardiac arrest.¹³ These requirements sufficiently ensure the safety of high school athletes. No additional fees should be assessed.

Temporary Non-Teaching Student Services

To perform most non-teaching student services, such as school nursing or guidance counseling, already requires being board licensed by another state board for the actual occupation. The additional school preparation programs mandated by the Department of Education to work as a nurse or counselor (or other student service provider) in the school should be modified to reduce costs for individuals already licensed in the relevant field.

Lake Erie Fishing Guide

Lake Erie fishing guides must already obtain a license from the United States Coast Guard, which includes a drug test, physical examination, first-aid training, and significant experience requirements. These requirements sufficiently ensure public safety without assessing guides an additional application and fee.¹⁴

Certified Engineer

The Ohio Environmental Protection Agency has never promulgated rules for this certification, has never established fees or education requirements, and sees no reason for licensing this profession.¹⁵

Various Licenses Under the State Medical Board (Acupuncturist, Genetic Counselor, Oriental Medicine Practitioner, Physician Training Certificate, Radiologist Assistant)

¹³ **NFHS Learning Center**, nfhslearn.com (Last visited October 3, 2019); **Coaching Permits**, education.ohio.gov (Last visited October 3, 2019).

¹⁴ **Lake Erie Fishing Guide License Application**, wildlife.ohiodnr.gov (Last visited November 7, 2019); and **Captain’s License Information**, wow.uscgaux.info (Last visited November 7, 2019).

¹⁵ Michael Guastella, deputy director of government affairs, Ohio Environmental Protection Agency, **Testimony** Before the Ohio House State and Local Government Committee, October 16, 2019.

Other states do not license several of these professions, relying instead on certification by schools or third-party professional organizations such as the American Board of Genetic Counselors to ensure public safety.¹⁶ Certification requirements for acupuncturists and oriental medicine, for example, can be combined and their licensing fees eliminated. College enrollment and credit hour requirements make the physician training certificate unnecessary. Similarly, radiologist assistants must already be certified by the American Registry of Radiologic Technologists, making Ohio's additional licensing fee an unnecessary administrative burden.¹⁷

Cosmetic Therapist

Ohio should move to a certification system for cosmetic therapists. Ohioans can become Certified Professional Electrologists by passing an exam offered by the American Electrology Association or by completing an online electrology program in just four months. Online tuition and fees are less than half the cost of attending Ohio's Medical Electrology Institute, one of the schools recommended by the Cosmetic Therapy Association of Ohio (\$7,200 versus \$15,100).¹⁸ After switching to a certification system, Ohio should eliminate any of the former licensing and renewal fees.¹⁹

Dietitian and Limited Dietetics Permit

Ohio should eliminate the licensing requirement for providing individualized nutrition advice. Providing nutritional advice should not be state-regulated.²⁰ Dietetic certification through a nationally recognized organization, however, would be useful for those consumers seeking a specific category of dietary information. Shifting to a certification system should lower administrative costs because the State Medical Board would only be validating that an applicant is certified by an organization like the Commission on Dietetic Registration, the credentialing unit of the Academy of Nutrition and Dietetics.²¹

Home Inspector

Ohio has not yet determined the details of its home inspector license requirements but should reconsider imposing the licensing requirement at all.²² Several states do not require home

¹⁶ **Becoming Certified**, abgc.net (Last visited October 3, 2019); **Becoming a Board-Certified AOM Practitioner**, ncaam.org (Last visited October 3, 2019); **ARRT Credential Options**, art.org (Last visited October 3, 2019).

¹⁷ **State Medical Board of Ohio-Radiologist Assistant**, med.ohio.gov (Last visited November 4, 2019).

¹⁸ **CT Schools**, cosmetictherapist.com (Last visited October 18, 2019); **Ohio Medical Electrology Institute**, electrologyschool.com (Last visited October 18, 2019). The other recommended school, The Cosmetic Therapy Training Center, does not have published tuition information.

¹⁹ **CT Application**, med.ohio.gov (Last visited September 16, 2019); and **Cosmetic Therapist Renewal**, med.ohio.gov (Last visited September 16, 2019).

²⁰ Cynthia Garber and Nicola Twilley, **Diet for One? Scientists Stalk the Dream of Personalized Nutrition**, *The New York Times*, June 10, 2019.

²¹ **Certifications**, cdrnet.org (Last visited November 26, 2019).

²² **Home Inspector Program**, com.ohio.gov (Last visited October 3, 2019).

inspectors to be licensed, and costly certification and training programs offered by groups such as the American Home Inspectors Training would adequately ensure public safety.²³

²³ **Ohio Home Inspection Training**, ahit.com (Last visited October 3, 2019); and National Home Inspector Examination, nationalhomeinspectorexam.org (Last visited October 3, 2019).

Reduce These “Permission-Slip” Burdens

Like Ohio, most states license the professions listed in Table 2, but Ohio’s licensing requirements tend to be higher and more burdensome. Reducing requirements for these 14 licenses will align Ohio’s requirements with other states and allow more Ohioans to take the next step in their careers sooner.

Table 2: Licenses Ohio Can Revise

License	Licensing Body	Reason	Savings for Job-seekers
Athlete Agent	Athletic Commission	Makes Ohio competitive with other states	\$400
Electrical Contractor	Construction Industry Licensing Board	Experience requirement is excessive	\$25 + 5 years
HVAC Contractor	Construction Industry Licensing Board	Experience requirement is excessive	\$25 + 5 years
Hydronics Contractor	Construction Industry Licensing Board	Experience requirement is excessive	\$25 + 5 years
Plumbing Contractor	Construction Industry Licensing Board	Experience requirement is excessive	\$25 + 5 years
Refrigeration Contractor	Construction Industry Licensing Board	Experience requirement is excessive	\$25 + 5 years
Alternative Resident Educator	Department of Education	Unnecessary training requirements	\$40
Out-of-State Educator	Department of Education	Unnecessary training requirements	\$40
Provisional STEM Educator	Department of Education	Unnecessary training requirements	\$80
Sanitarian	Department of Health	Makes Ohio competitive with other states	\$160
Sanitarian-in-Training	Department of Health	Makes Ohio competitive with other states	\$80
Wild Animal Hunting Preserve	Department of Natural Resources	Makes Ohio competitive with other states	\$700
Massage Therapist	State Medical Board	Makes Ohio competitive with other states	\$153.50 + 250 hours
Physician Assistant	State Medical Board	Education requirements are sufficient	\$403.50

Athlete Agent

Ohio should reduce its \$500 fee to register as an athlete agent. New York only charges a \$100 registration fee.²⁴ The Ohio Athletic Commission has not justified the need or reason for such a high registration fee. Without a proper justification, the fee should be reduced commensurate with other states that charge such a fee.

Specialty Contractors (Electrical, HVAC, Hydronics, Plumbing, Refrigeration)

Professional organizations provide routes for skill-certification and safety training for HVAC and other specialty contractors.²⁵ Ohio imposes an unduly excessive “5-year experience requirement” in order to be called a “contractor.” Instead, Ohio should rely on third-party certifications and training.

Educator Licenses (Alternative Resident Educator, Out-of-State Educator, Provisional STEM Educator)

Ohio currently requires these teachers to acquire additional, unnecessary training even though their prior experience already qualifies them to teach. State-mandated preparation programs should be eliminated from these licensing requirements.

Sanitarian and Sanitarian-in-Training

Although most states license this profession, Ohio’s \$160 registration fee is higher than many and should be reduced. Illinois’ fee, for example, is \$100 and its continuing education requirement is 20 hours over two years rather than Ohio’s 18-hour annual requirement. (By contrast, Indiana eliminated this license requirement for an analogous position in 2010 and Pennsylvania does not license the profession.) Ohio should also reduce its \$80 registration fee for sanitarians-in-training which is effectively a way station position to a full sanitarian. The Department of Health has not justified such differences between these occupations nor why the fees themselves exist. Without further justification, these fees should be reduced to keep Ohio competitive with other states.

Wild Animal Hunting Preserve

The \$1,000 fee required to obtain an Ohio preserve hunter’s license should be lowered to \$300. Indiana’s hunting preserve fee for initial licensure is only \$300, and Pennsylvania’s commercial hunting preserve’s initial fees are \$100 for the first 10 acres and \$25 for each additional acre.²⁶ Ohio’s other requirements for operating a hunting preserve, such as regulating their administration and who may hunt in them, will still ensure that these preserves operate safely and responsibly. Without further justification from the Department of Natural Resources, the license fee should be reduced.

²⁴ **Fees & Terms of Licensure/Registration-Athlete Agent**, dos.ny.gov (Last visited October 3, 2019).

²⁵ **Exams Offered**, natex.org (Last visited October 3, 2019).

²⁶ **State Survey of Department of Natural Resource Licenses**, Legislative Service Commission, October 9, 2019.

Massage Therapist

Ohio should revise its requirements for practicing message therapy. The state should eliminate the licensing fee and reduce the requisite training from 750 hours to the 500 hours that most states require.²⁷ Requiring certification by passing the Massage and Bodywork Licensing Examination (\$195) offered by the Federation of State Massage Therapy Boards will sufficiently ensure safe massages.²⁸

Physician Assistant

Indiana only charges \$100 to obtain a physician assistant's license. Ohio should do the same, instead of charging more than \$400.²⁹ The training needed to become a physician assistant is already rigorous. Erecting higher financial barriers to entry for this in-demand profession only hinders healthcare in Ohio. The State Medical Board either should justify the need for such a high fee or reduce it commensurate with other states.

²⁷ **Massage Therapist**, IJ.org (Last visited October 3, 2019).

²⁸ **Massage & Bodywork Licensing Examination**, fsmtb.org (Last visited October 3, 2019).

²⁹ **Fee Schedule**, IN.gov (Last visited October 3, 2019).

Review These “Permission-Slip” Burdens

Even occupational license requirements that do not currently need to be eliminated or modified should still be reviewed by experts who do not sit on the boards, but know what each occupation really requires and can advise board members and policymakers regarding how to make the licensing process more efficient while maintaining public safety. External industry-specific experts can also identify redundancies in licensing multiple occupations that may do the same job tasks and recognize whether it is individuals who must be regulated through licensing or the workplaces in order to protect public safety.

Table 3 provides the complete list of every license that policymakers will review this cycle, along with our recommendation that the license be eliminated, its requirements reduced, or subjected to further expert review.

Table 3: Complete Ohio Occupational Licensing Recommendations 2019-2020

License	Board	Recommendation
Amateur MMA Fighter	Athletic Commission	Review
Athlete Agent	Athletic Commission	Reduce
Contestant (generally)	Athletic Commission	Review
Judge, Matchmaker, Timekeeper, Manager, Trainer, Second	Athletic Commission	Review
MMA Second	Athletic Commission	Review
Professional Boxer	Athletic Commission	Review
Professional Boxing Second	Athletic Commission	Review
Professional MMA Fighter	Athletic Commission	Review
Promoter	Athletic Commission	Review
Referee	Athletic Commission	Review
Super Tough Person Competitor	Athletic Commission	Review
Tough Person Competitor	Athletic Commission	Review
Tough Person Second	Athletic Commission	Review
Electrical Contractor	Department of Commerce, Construction Industry Licensing Board	Reduce
Home Inspector	Department of Commerce, Construction Industry Licensing Board	Eliminate
HVAC Contractor	Department of Commerce, Construction Industry Licensing Board	Reduce
Hydronics Contactor	Department of Commerce, Construction Industry Licensing Board	Reduce

License	Board	Recommendation
Plumbing Contractor	Department of Commerce, Construction Industry Licensing Board	Reduce
Refrigeration Contractor	Department of Commerce, Construction Industry Licensing Board	Reduce
Historical Boiler Operator	Department of Commerce, Division of Industrial Compliance Historical Boiler Licensing Board	Review
Passenger Tramway Operator	Department of Commerce, Division of Industrial Compliance Ski Tramway Board	Review
Dealer in Securities	Department of Commerce, Division of Securities	Review
Investment Advisor Representative	Department of Commerce, Division of Securities	Review
Salesperson of Securities	Department of Commerce, Division of Securities	Review
State Retirement System Investment Officer	Department of Commerce, Division of Securities	Review
Bureau of Workers' Compensation Chief Investment Officer	Department of Commerce, Division of Securities	Review
Adult Education Teacher	Department of Education	Reduce
Advanced Career-Technical Workforce Development Educator	Department of Education	Review
Alternative Administrative Specialist	Department of Education	Eliminate
Alternative Superintendent	Department of Education	Eliminate
Alternative Principle	Department of Education	Eliminate
Alternative Resident Educator	Department of Education	Reduce
Alternative Resident Educator-Montessori	Department of Education	Reduce
Associate	Department of Education	Reduce
Early College High School Educator	Department of Education	Reduce
Educational Aide	Department of Education	Eliminate
Educational Paraprofessional	Department of Education	Reduce
Forty-Hour STEM School Teacher	Department of Education	Reduce
Initial Career-Technical Workforce Development Educator	Department of Education	Review
Lead Professional Educator	Department of Education	Reduce

License	Board	Recommendation
Nonpublic School Teacher or Administrator	Department of Education	Review
Out-of-State Educator	Department of Education	Reduce
Professional Administrator	Department of Education	Eliminate
Professional Educator	Department of Education	Reduce
Professional Pupil Services	Department of Education	Eliminate
Professional School Business Manager	Department of Education	Eliminate
Professional School Treasurer	Department of Education	Eliminate
Provisional STEM Educator	Department of Education	Reduce
High School Head Coach (Pupil Activity)	Department of Education	Eliminate
Resident Educator	Department of Education	Reduce
Senior Professional Educator	Department of Education	Reduce
Substitute Teacher	Department of Education	Reduce
Supplemental Teacher	Department of Education	Review
Temporary Pupil Services	Department of Education	Eliminate
Temporary Teacher License for Military Science	Department of Education	Review
Twelve-Hour Teaching Permit	Department of Education	Review
Visiting International Teacher	Department of Education	Reduce
Epinephrine Autoinjector Certification	Department of Health	Review
Sanitarian	Department of Health	Eliminate
Sanitarian-in-Training	Department of Health	Eliminate
Basic Food Handler for Food Service Operations: Level One	Department of Health, Food Safety Program	Eliminate
Food Protection Manager for Food Service Operations: Level Two	Department of Health, Food Safety Program	Eliminate
Clearance Technician	Department of Health, Lead Licensure and Accreditation Program	Review
Lead Abatement Contractor	Department of Health, Lead Licensure and Accreditation Program	Reduce
Lead Abatement Project Designer	Department of Health, Lead Licensure and Accreditation Program	Review

License	Board	Recommendation
Lead Abatement Worker	Department of Health, Lead Licensure and Accreditation Program	Review
Lead Inspector	Department of Health, Lead Licensure and Accreditation Program	Review
Lead Risk Assessor	Department of Health, Lead Licensure and Accreditation Program	Review
Radon Mitigation Contractor	Department of Health Radon Education and Licensing Program	Review
Radon Mitigation Specialist	Department of Health, Radon Education and Licensing Program	Review
Radiation Expert-Diagnostic	Department of Health, X-ray Program	Review
Radiation Expert-Therapeutic	Department of Health, X-ray Program	Review
Radiation Expert-Mammography	Department of Health, X-ray Program	Review
Radiologist	Department of Health, X-ray Program	Review
Blaster	Department of Natural Resources, Division of Mineral Resources	Review
Clay Mine Foreperson	Department of Natural Resources, Division of Mineral Resources	Review
Fire Boss	Department of Natural Resources, Division of Mineral Resources	Review
Foreperson of Surface Maintenance Facilities	Department of Natural Resources, Division of Mineral Resources	Review
Mine Blaster	Department of Natural Resources, Division of Mineral Resources	Review
Mine Electrician	Department of Natural Resources, Division of Mineral Resources	Review
Mine Foreperson	Department of Natural Resources, Division of Mineral Resources	Review
Mine Foreperson of Gaseous Mine	Department of Natural Resources, Division of Mineral Resources	Reduce
Mine Foreperson of Nongaseous Mine	Department of Natural Resources, Division of Mineral Resources	Review
Mine Foreperson of Surface Mines	Department of Natural Resources, Division of Mineral Resources	Review
Mine Medical Responder	Department of Natural Resources, Division of Mineral Resources	Review

License	Board	Recommendation
Qualified Person In Lieu Of A Certified Mine Foreperson	Department of Natural Resources, Division of Mineral Resources	Review
Shot Firer	Department of Natural Resources, Division of Mineral Resources	Review
Captive White-Tailed Deer Propagation	Department of Natural Resources, Division of Wildlife	Review
Commercial Bird Shooting Preserve	Department of Natural Resources, Division of Wildlife	Reduce
Commercial Fishing	Department of Natural Resources, Division of Wildlife	Reduce
Commercial Nuisance Wild Animal Control Operator	Department of Natural Resources, Division of Wildlife	Review
Commercial Propagation	Department of Natural Resources, Division of Wildlife	Eliminate
Commercial Raptor Propagation	Department of Natural Resources, Division of Wildlife	Review
Lake Erie Fishing Guide	Department of Natural Resources, Division of Wildlife	Eliminate
Noncommercial Propagation	Department of Natural Resources, Division of Wildlife	Eliminate
Hunter Education Instructor	Department of Natural Resources, Division of Wildlife	Review
Trapper Education Instructor	Department of Natural Resources, Division of Wildlife	Review
Wild Animal Hunting Preserve	Department of Natural Resources, Division of Wildlife	Reduce
Certified Engineer	Environmental Protection Agency	Eliminate
Professionals Under the Voluntary Action Program	Environmental Protection Agency	Review
Water Quality Professional	Environmental Protection Agency	Review
Motor Vehicle Inspector	Environmental Protection Agency	Review
Public Water System Professional Operator A	Environmental Protection Agency	Review
Public Water System Professional Operator I	Environmental Protection Agency	Review
Public Water System Professional Operator II	Environmental Protection Agency	Review
Public Water System Professional Operator III	Environmental Protection Agency	Review
Public Water System Professional Operator IV	Environmental Protection Agency	Review

License	Board	Recommendation
Sewage System Professional Operator I	Environmental Protection Agency	Review
Sewage System Professional Operator II	Environmental Protection Agency	Review
Treatment Works Professional Operator A	Environmental Protection Agency	Review
Treatment Works Professional Operator I	Environmental Protection Agency	Review
Treatment Works Professional Operator II	Environmental Protection Agency	Review
Treatment Works Professional Operator III	Environmental Protection Agency	Review
Treatment Works Professional Operator IV	Environmental Protection Agency	Review
Waiver Repair Technician	Environmental Protection Agency	Review
Water Distribution Professional Operator I	Environmental Protection Agency	Review
Executive Agency Lobbyist	Office of the Legislative Inspector General, Joint Legislative Ethics Committee	Review
Legislative Agent	Office of the Legislative Inspector General, Joint Legislative Ethics Committee	Review
Retirement System Lobbyist	Office of the Legislative Inspector General, Joint Legislative Ethics Committee	Review
Acupuncturist	State Medical Board	Eliminate
Anesthesiologist Assistant	State Medical Board	Review
Clinical Research Faculty	State Medical Board	Review
Conceded Eminence Certificate	State Medical Board	Review
Cosmetic Therapist	State Medical Board	Eliminate
Dietitian	State Medical Board	Eliminate
Emeritus Registration (for Physicians, Podiatrists, and Cosmetic Therapists)	State Medical Board	Review
Expedited License to Practice by Endorsement (Physicians)	State Medical Board	Review
Genetic Counselor	State Medical Board	Eliminate
Genetic Counselor Special Activity Certificate	State Medical Board	Eliminate
Genetic Counselor Supervised Practice	State Medical Board	Eliminate

License	Board	Recommendation
Respiratory Care Professional	State Medical Board	Review
Limited Certificate (for non-U.S. citizens)	State Medical Board	Review
Limited Dietetics Permit	State Medical Board	Eliminate
Limited Permit to Practice Respiratory Care	State Medical Board	Review
Massage Therapist	State Medical Board	Eliminate
Mechanotherapist	State Medical Board	Review
Doctor of Naprapathy	State Medical Board	Review
Oriental Medicine Practitioner	State Medical Board	Eliminate
Physician Assistant	State Medical Board	Reduce
Physician Certificate to Recommend Medical Marijuana	State Medical Board	Review
Physician	State Medical Board	Review
Physician Training Certificate	State Medical Board	Eliminate
Podiatrist	State Medical Board	Review
Podiatrist Training Certificate	State Medical Board	Review
Radiologist Assistant	State Medical Board	Eliminate
Special Activity Certificate	State Medical Board	Review
Telemedicine Certificate	State Medical Board	Review
Visiting Clinical Professional Development Certificate	State Medical Board	Review
Volunteer's Certificate	State Medical Board	Review

Conclusion

As The Buckeye Institute has long argued, professionals should not have to seek the state's permission to earn a living. Heeding our arguments, Senate Bill 255 has implemented a robust occupational license review process that can end Ohio's permission-slip policies and make the state a national leader in occupational licensing reform. The new review process authorizes the General Assembly to comprehensively examine the need for and costs associated with Ohio's licensing boards and agencies. Such an examination may be long overdue, but The Buckeye Institute applauds the General Assembly for this on-going yeoman's effort.

The Buckeye Institute continues to urge policymakers to take a hard look at licenses that do little or nothing to improve public safety, but impose burdens and barriers to entry for job-seekers. Such licenses should be eliminated. Similarly, we encourage policymakers to examine necessary license regimes and look for ways to reduce regulatory costs and burdens, and bring qualification and fee requirements in line with other states.

The Buckeye Institute has taken the lead in calling for state officials to do the right thing by rethinking Ohio's occupational licensing scheme to ensure that teachers licensed in another state can still teach in our public schools, that board-licensed nurses and treasurers do not also need the permission of the Ohio Department of Education, and that the Ohio Board of Cosmetology and Barbering will stop sending threatening letters to people who trim their neighbor's hair. Senate Bill 255 suggests that Ohio is following that lead, but there is more work to be done as we make Ohio an easier place for people to find their dream jobs.

About the Authors

Andrew J. Kidd, Ph.D. is an economist with the Economic Research Center at The Buckeye Institute. In this position, Kidd conducts and produces original economic research that looks at and analyzes the impact of state and federal policies on peoples' lives and on the economy.

Prior to joining The Buckeye Institute, Kidd worked in litigation consulting, providing expert testimony related to economic damages in legal cases. Kidd also served as a research assistant at the UW Population Health Institute at the University of Wisconsin-Madison, which, through its health policy group, performs research and analysis projects on health care access, cost, financing, health system performance, and quality. During his time at the University of Wisconsin-Madison, Kidd's research focus was in demography, education, labor outcomes, and the effects of public policy on labor, education, and health outcomes. He was a College of Letters and Science teaching fellow and was awarded the Anna Morris Ely Teaching Award from the Department of Economics. While there, he taught classes in wages and the labor market, analytical public finance, the principles of microeconomics, and the principles of macroeconomics.

Kidd continues to study questions regarding labor markets and the effects of public policy and demographics on labor market outcomes and behaviors, as well as evaluating health care policy and education policy. A native of Lima, Ohio, Kidd received his bachelor's degree in economics and mathematics from the University of Notre Dame before completing his master's degree and his doctorate in economics from the University of Wisconsin-Madison.

Greg R. Lawson is the research fellow at The Buckeye Institute. In this role, Lawson works with all members of the Buckeye research team with a particular focus on occupational licensing, local government, and education issues. He is also Buckeye's primary liaison to the Statehouse where he educates policymakers in both the legislative and executive branches on free-market solutions to Ohio's challenges.

Prior to his position at Buckeye, Lawson served in the Ohio General Assembly as a Legislative Service Commission fellow. He then went on to several government affairs roles focusing on numerous public policy topics, including Medicaid, school choice, transportation funding, and Ohio's Building Code. He also has a background in PAC fundraising, grassroots organizing, and communications and served for five years on the boards of two Columbus-based charter schools.

James B. Woodward, Ph.D. is an economic research analyst with the Economic Research Center at The Buckeye Institute. In this position he collects economic data, performs research, and writes about economic policy issues.

Prior to joining The Buckeye Institute, Woodward earned his Master of Public Policy and a Ph.D. in public policy from the University of Kentucky. During his time there, Woodward worked for the commonwealth's Hazard Mitigation Grant program, helping to verify the quality of regional emergency preparedness plans. He also performed policy-related research for the Commonwealth Council on Developmental Disabilities, contributing to a paper on possible, new treatment options for those with disabilities.

Woodward has also spent time researching public economics, health economics, and occupational licensing. His dissertation, *American Obesity: Rooted in Uncertainty, Institutions, and Public Policy*, looked at the role bad public policy (as opposed to consumers and/or market forces) may have played in the rapid increase in obesity rates.

A native of Athens, Ohio, Woodward received his bachelor's degree in economics from Ohio University before going on to complete his graduate studies.



THE BUCKEYE INSTITUTE

88 East Broad Street, Suite 1300

Columbus, Ohio 43215

(614) 224-4422

BuckeyeInstitute.org

Opening Doors: Occupational Licensing Reform in Ohio After Senate Bill 255

Copyright © 2019 The Buckeye Institute. All rights reserved.

Portions of this work may be reproduced and/or translated for non-commercial purposes provided The Buckeye Institute is acknowledged as the source of the material.