



TESTIMONY

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HOUSE BILL 2138: ESTABLISHES THE AUDIOLOGY AND SPEECH- LANGUAGE PATHOLOGY INTERSTATE COMPACT

By Corianna Baier

Testimony before the Missouri House Professional Registration and
Licensing Committee

TO THE HONORABLE MEMBERS OF THIS COMMITTEE

Thank you for the opportunity to testify. My name is Corianna Baier, and I am a senior analyst at the Show-Me Institute, a nonprofit, nonpartisan, Missouri-based think tank that advances sensible, well-researched, free-market solutions to state policy issues. The ideas presented here are my own and summarize Show-Me Institute research regarding occupational licensing compacts.

House Bill 2138 seeks to establish the Audiology and Speech-Language Pathology Interstate Compact. This interstate compact currently has 15 members and is being considered by a handful of states this year. Given the current licensing reciprocity statute in

Missouri, joining this compact would not move Missouri toward the overall goals of removing barriers for workers and easing access and lowering costs for consumers.

Occupational licensing amounts to the government giving a worker permission to work. The number of jobs requiring an occupational license has ballooned over the last several decades. In the 1950s, 1 in 20 workers needed permission from the government to do their job. Today it is more like 1 in 5. In 2020, Missouri became one of the first states to enact universal licensing reciprocity. This huge step forward allowed Missouri to recognize out-of-state occupational licenses, making it much easier for trained professionals to offer services to Missourians.

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A licensure compact, on the other hand, is an agreement between and among states that establishes mutual recognition of specific licenses and is overseen by a third-party regulatory group. The compact that would be established by this bill would establish mutual recognition for audiologists and speech-language pathologists. Compacts are intended to bring about a similar outcome as licensing reciprocity; a compact makes it easier for licensed workers to move among states or work in multiple states because their license allows them to work in all states in the compact.

One of the main benefits of joining a compact is that it is easier for workers in other states in the compact to relocate to your state and continue to work. Fortunately, Missouri has already made itself more attractive to licensed workers, and not just workers in one licensed occupation from a few states within a compact, but to workers in all licensed occupations from all states. The implementation of licensing reciprocity has already provided Missouri consumers with the benefits that a compact is intended to provide.

Another benefit of licensure compacts is the ability for licensed workers in your state to relocate more easily or expand their reach to other states. This is a benefit that Missouri workers could receive from a compact as Missouri's licensing reciprocity has nothing to do with Missouri workers' ability to get licenses in other states.

On the surface, it seems that some Missourians could receive some benefit if the state were to enter a licensure compact. However, the current licensing reciprocity statute (RSMo §324.009) states that licensing reciprocity "shall not apply to an oversight body that has entered into a licensing compact with another state for the regulation of practice under the oversight body's jurisdiction."¹ On its face, this language indicates that the license compact would overrule licensing reciprocity to the injury of Missouri consumers.

Here's another way to think about it. With Missouri's current licensing reciprocity, Missouri consumers have access to professionals in 50 states and Missouri licensees have access to 1 state (Missouri). (Of course, they may have access to other states with reciprocity, but that is not controlled by Missouri lawmakers). If Missouri were

to enter the Audiology and Speech-Pathology Interstate Compact, it appears the compact would preempt the reciprocity provisions. If this is the case, consumers seeking audiology or speech pathology services would have access to professionals from only 16 states (the 15 in the compact plus Missouri), and Missouri licensees would have access to customers in 16 states. While this change gives a small benefit to licensees, Missouri consumers lose out.

Under Missouri's current reciprocity statute, interstate compacts do not move the state toward the ultimate goal of easing access and lowering costs for consumers. Such compacts would greatly reduce opportunities for licensed workers to come to Missouri, ultimately reducing supply for consumers. If the current proposal made clear that it did not preempt the application of licensing reciprocity to licensees from states that are not compact members or, better yet, if RSMo. §324.009 was amended to allow reciprocity to stay in place with licensure compacts, then licensees could benefit from compacts without consumers being harmed. Otherwise, entering into a licensure compact like the one in HB 2138 would seem to be a step backward after the great step forward with licensing reciprocity.

ENDNOTES

1. Missouri Revisor of Statutes. §324.009. <https://revisor.mo.gov/main/OneSection.aspx?section=324.009&bid=49646&hl=>



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