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Comparative Review • Report No. 21-04

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# **Regulatory Requirements of Selected Health-Related Professions**

Georgia's requirements are largely the same as other states

#### **About this Report**

Using data collected by the National Conference of State Legislatures (NCSL), we compared Georgia's regulatory requirements for 14 health-related professions to requirements in all other states and the District of Columbia. Overall, we found that Georgia's requirements are similar to those of other states.

NCSL staff collected data on 48 regulated professions—licensed, regulated, or certified—with a projected employment growth rate above zero and for which regulation could pose unnecessary barriers to employment. Additionally, to be selected, the profession had to be regulated in at least 30 states. We reviewed 14 health-related professions from this group because they represent some of the fastest growing professions nationwide and a significant portion of the licenses and renewals handled in Georgia.

To ensure the data's reliability, we reviewed the information for Georgia's professions and corrected identified inaccuracies. Additional information on methodology is included in Appendix A.

#### **REVIEWED PROFESSIONS**

- Athletic Trainers
- Certified Nursing Assistant
- Dental Hygienist
- Dieticians
- Emergency Medical Technicians
- Licensed Practical Nurses
- Massage Therapists
- Occupational Therapy Assistants
- Pharmacy Technicians
- Physical Therapy Assistants
- Radiological Technologists
- Registered Nurses
- Respiratory Therapists
- Skin Care Specialists (Estheticians)

Georgia's requirements are similar to other states

#### **OVERVIEW**

Overall, we found that Georgia's requirements are similar to those of other states. Of the 14 professions reviewed, Georgia regulates 11 at the highest level as licensed professions. Practitioners of these professions must meet established educational, training, and/or testing requirements to obtain a license.

Georgia's regulatory requirements are largely the same—or very similar to—those in other states for most professions reviewed (see highlights in box to the left). However, Georgia applicants for Skin Care Specialists (known as Estheticians in Georgia) and Pharmacy Technicians face requirements that differ the most from other states. In particular:



- Georgia's Skin Care Specialists pay higher licensing and renewal fees than most other states. Additionally, Georgia's training and minimum age
- requirements are significantly more restrictive than other states.

  Georgia requires Pharmacy Technicians to register with the state,
- Georgia requires Pharmacy Technicians to register with the state, which is more lenient than most other states' licensure requirement. However, Georgia's initial and renewal fees are higher than those in other states—even those that require a license.

When reviewing specific data points within all 14 professions, we found that for 9 professions Georgia's initial and renewal fees are lower than most other states. We also found Georgia was the same as other states on the following points:

- Licensure, certification, or registration requirement (11 professions);
- License, certification, or registration renewal periods and the time allowed to complete any continuing education requirements (10 professions);
- Requirements for education, training, experience, and professional exams (11 professions);
- Restrictions on applicants with prior criminal history (9 professions);
- Reciprocity allowances (11 professions).

Finally, Georgia differs from other states in several ways. For EMTs, it is less restrictive than most states in that it does not set a minimum age requirement (46 states do) or a training requirement (49 states do). Georgia is more restrictive than other states in that it requires:

- A minimum age of 18 for Dieticians (34 states have no requirement or a lower one) and
- 2,000 hours of experience for Skin Care Specialists (46 states require fewer hours).

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# **Purpose of the Review**

The purpose of this review is to provide information on how Georgia's regulatory practices for 14 selected health-related professions are similar to or different from those in other states. Generally, Georgia was compared to 49 states and the District of Columbia.

A description of the scope and methodology used in this review is included in Appendix A.

# Background

To protect the public, state governments often regulate certain professions by limiting the practice to individuals who meet certain requirements. States may require licensure, certification, or registration. Georgia currently regulates more than 100 professions through a state board or agency. These include health-related professions such as Nursing and Physical Therapy, as well as trades such as Architecture and Plumbing.

The legislature is often faced with requests to establish new boards or make changes to existing regulatory requirements. For example, during the 2021 legislative session, the General Assembly considered 15 bills that included proposals that would require new professions to be regulated, create interstate compact agreements for several existing professions, and attempt to ease licensure requirements for veterans.

## Overview of Methodology



Between 2017 and 2019, National Conference of State Legislatures (NCSL) staff reviewed the occupational licensing laws and regulations of 50 states and the District of Columbia to create an Occupational Licensing Database.<sup>1</sup> It should be noted that, for purposes of comparison, any discussion of "states" includes the District of Columbia, for a total of 51. The focus was on professions for which laws and regulations could pose unnecessary barriers to employment.

NCSL selected 48 professions that were regulated<sup>2</sup> in more than 30 states and/or had a projected employment growth rate above zero. It collected data on a variety of categories such as minimum age

requirements, associated fees, and continuing education requirements (see <a href="Appendix B">Appendix B</a> for descriptions of all data points). Staff researched state laws and then state regulations and/or board rules; they also interviewed board staff as necessary. The project was completed in 2019, and compiled data was published on NCSL's <a href="website">website</a>.

#### **Professions and Points of Comparison**

According to the U.S. Bureau of Labor Statistics (BLS), 8 of the 20 occupations with the fastest projected growth rate over the next 10 years are in health-related fields. As of January 2021, health-related professions accounted for approximately half of the 488,710 professional and business licenses managed by the Georgia Secretary of State Office's Professional Licensing Board Division (PLB). We restricted our comparison to 14 health-related professions.

<sup>&</sup>lt;sup>1</sup> The National Occupational Licensing Database was produced by NCSL, The National Governors Association Center for Best Practices, and the Council of State Governments. The groups received grant support from the U.S. Department of Labor, Employment, and Training Administration.

<sup>&</sup>lt;sup>2</sup> Requiring either licensure, certification, or registration.

The 14 professions analyzed in this review are:

- Athletic Trainers
- Certified Nursing Assistants
- Dental Hygienists
- Dieticians
- Emergency Medical Technicians
- Licensed Practical Nurses
- Massage Therapists

- Occupational Therapy Assistants
- Pharmacy Technicians
- Physical Therapy Assistants
- Radiological Technologists<sup>3</sup>
- Registered Nurses
- Respiratory Therapists
- Skin Care Specialists (Estheticians)

We used NCSL's data to identify comparison points to identify whether Georgia's regulations were similar to other states. (See <u>Appendix B</u> for detail on each of the data fields).

Below are descriptions of the comparisons presented in each profession's table (pages 5 to 32). Descriptions of the individual data points used are included in Appendix B.

#### **Regulatory Status**

Depending on the associated requirements, a profession's regulatory status can be a barrier to employment. Professions can be regulated in three ways: licensure (the most restrictive), certification, and registration. Most states require the same regulatory status for a profession.<sup>4</sup>

- Licensure Professionals must meet educational, training, and/or testing requirements before practicing and are subject to board discipline (e.g., Dental Hygienists).
- **Certification** After meeting specified requirements, professionals can use a designated title that carries value in the labor market; however, the title is not legally necessary to practice (e.g., Certified Nurse Aide).
- **Registration** Professionals must register with a state entity by providing specified personal information before practicing (e.g., Pharmacy Technician working under the direction of a Pharmacist).

Not all states regulate every profession reviewed. Additionally, some require a license while others require a certificate or registration. Generally, we compared Georgia to all states that regulate a profession, regardless of the regulation type.

#### **Initial Costs and Renewal Frequency and Cost**

Regulatory fees (for licensure, registration, or certification) include application and initial fees. The renewal fee is a single amount charged once per renewal period. We included all fees and charges incurred by applicants, excluding examination fees and those identified as "other".<sup>5</sup>

These initial and renewal costs related to practicing in a state can present a barrier for some individuals if they are unnecessarily high. Additionally, the renewal period may present a barrier if it is frequent.

#### **Continuing Education**

Continuing Education (CE) hours may be required, at a designated interval, to renew a license, certificate, or registration. The number of hours and the interval can present a cost barrier for applicants. We reviewed the following:

CE term (i.e., the frequency with which the requirement must be met; Georgia has a
two-year term for all professions, meaning a prescribed number of CE hours must
be completed every two years);

<sup>&</sup>lt;sup>3</sup> This profession is not currently licensed in Georgia. Our review identified common practices nationally.

<sup>&</sup>lt;sup>4</sup>In cases where multiple statuses were present, all were retained for comparisons.

<sup>&</sup>lt;sup>5</sup> Our review found examination fees are usually increased annually; therefore, they were excluded from the analysis because they were outdated. "Other" fees were excluded because we determined they were outdated and inconsistently collected.

- Total hours required by states with a two-year CE term;
- Average annual hours required by states with CE requirements; and
- Median annual hours required by states with CE requirements.

#### **Restrictions Based on Prior Criminal History**

States may prevent individuals with certain criminal histories from practicing a profession. These restrictions may specify a particular conviction or a type of conviction (e.g., felony) or a combination of these. For example, Georgia prohibits individuals convicted of violating a controlled substance law from becoming Registered Nurses.

A potentially more restrictive approach is to allow the oversight body to determine whether an applicant is of "good moral character." The determination of good moral character can vary by state; it is based on the judgement and interpretation of the board in accordance with applicable laws and rules.

It should be noted that, for this category, we identified inconsistencies in the way NCSL data was collected. As a result, we compared Georgia to the other seven southeastern states (Alabama, Florida, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee) for 11 professions. For the remaining three professions, we determined the data to be reliable for comparison to all states.

#### **Basic Requirements**

Regardless of the regulatory status, applicants generally must meet basic requirements to serve in the respective profession. The requirements reviewed include:

- **Reciprocity** Allows licenses, certifications, or registrations earned in another state to be recognized as a means for meeting a state's regulatory requirements
- **Education** Degree requirements for licensure, certification, or registration
- Professional Examinations Whether applicants must pass a professional examination prior to licensure, certification, or registration
- Additional Examinations Whether applicants must pass additional examinations such as English language proficiency or state jurisprudence examinations prior to licensure, certification, or registration
- Training Whether and how much training applicants must obtain prior to licensure, certification, or registration
- **Experience** Whether and how much experience applicants must obtain prior to licensure, certification, or registration
- Minimum Age Whether applicants must be a certain age to be licensed, certified, or registered

<sup>&</sup>lt;sup>6</sup> Based on the methodology used by NCSL, we did not consider overarching laws such as O.C.G.A. §43-1-19(q), which requires boards to consider the relationship of the crime to the profession. It should be noted that this statute applies only to boards housed under the Secretary of State's Division of Professional Licensing.

# **Comparisons by Profession**

The comparisons presented in the following tables are based on data collected by the National Conference of State Legislatures (NCSL). Please note the following points of clarification:

- NCSL collected data from all 50 states and the District of Columbia. It should be noted that, for purposes of comparison, any discussion of "states" includes the District of Columbia, for a potential total of 51.
- Unless otherwise noted, comparisons related to restrictions based on prior criminal history are limited to the other seven southeastern states (Alabama, Florida, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee). This decision was made because we identified inconsistencies in data collection.

Additional discussion of methodology is located in Appendix A.

#### **Athletic Trainers**

Athletic Trainers evaluate and advise individuals to maintain peak physical fitness, as well as avoid, or assist in recovery from, athletic-related injuries. Practices may include providing first aid or emergency care. In Georgia, Athletic Trainers may also use techniques that involve heat, light, sound, cold, electricity, or mechanical devices. As of January 2021, the Georgia Board of Athletic Trainers licensed approximately 1,600 Athletic Trainers.



Like Georgia, most states require a license and renewal (of licensure, certificate, or registration) every one to two years. Georgia's licensure fee of \$50 and renewal fee of \$100 are lower than the national fee averages.

Costs

Georgia's licensure fee is lower than the national fee average, similar to 25 other states

GA Average

\$0 \$20 \$50 \$157 \$700

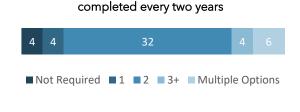
1 state 26 states 23 states

43 states require renewal Georgia's renewal fee is lower



#### Continuing Education

Like most states, Georgia requires continuing education (CE) hours to be completed every two years. However, its requirement of 40 hours is slightly less than most with a two-year term.



by the 45<sup>10</sup> states

32 states require CE to be

23

states with a two-year CE term require 50 hours

annual CE hours required on average

Of the 45<sup>10</sup> states that require CE, most require the median annual of 25 hours



<sup>10</sup>While South Carolina requires CE to be completed every two years, it is not included in the additional analyses in this section because it requires specific coursework as opposed to a certain number of hours.

In Georgia, the licensing board may restrict licensure based on any criminal conviction. The board may also reject applicants when it determines they do not possess good moral character. Georgia is one of:

49

states that may restrict licensure based on a prior conviction

18

states that have a

Good Moral Character clause in statute

#### **Basic Requirements**

Georgia's basic licensure requirements are similar to those in other states. As shown below, Georgia is one of:

#### 26 states that allow reciprocity



50

states that require a bachelor's degree

40

states that do not specify a minimum age

49

states that require applicants to pass a professional examination

43

states that do not require examinations in addition to a professional examination

48

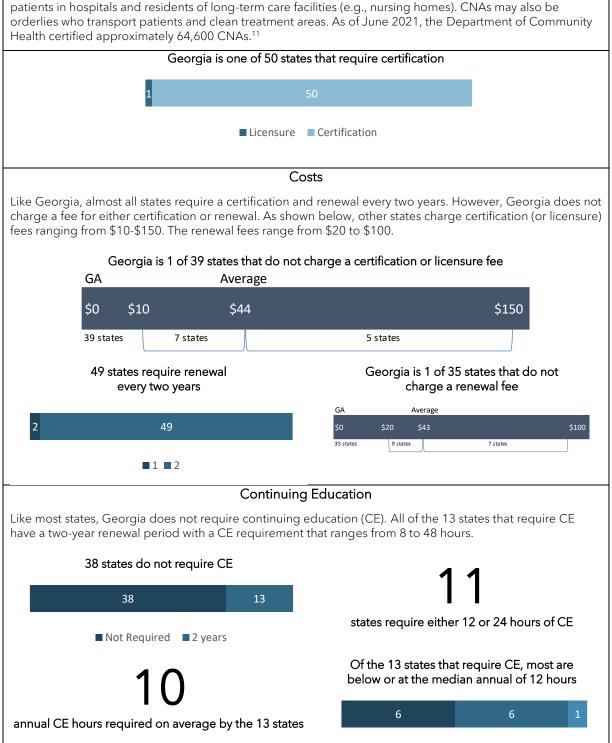
states that do not require training

50

states that do not require experience

#### **Certified Nursing Assistants**

Certified Nursing Assistants (CNAs), sometimes referred to as Nursing Aides, help provide basic care for patients in hospitals and residents of long-term care facilities (e.g., nursing homes). CNAs may also be Health certified approximately 64,600 CNAs.<sup>11</sup>



<sup>&#</sup>x27;Georgia refers to the profession as registered; however, its requirements are consistent with NCSL's definition for certified. Therefore, we used NCSL's terminology for consistency.

■ Below ■ At Median ■ Above

Like all other southeastern states, Georgia's licensing board does not restrict licensure based on prior criminal history, nor are applicants subject to a good moral character requirement. Georgia is one of:

8

southeastern states that do not restrict certification or licensure based on a prior criminal history

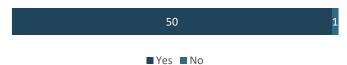
8

southeastern states that do not have a Good Moral Character clause in statute

#### **Basic Requirements**

Georgia's basic licensure requirements are similar to those in other states. As shown below, Georgia is one of:

#### 50 states that allow reciprocity



51

states that require training instead of a specific degree

49

states that require applicants to pass a professional examination

51

states that require at least 75 hours of training (Georgia requires 85 hours)

41

states that do not specify a minimum age

49

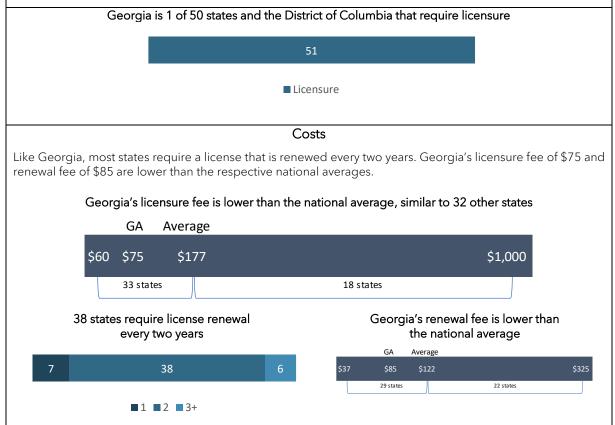
states that require an examination in addition to the professional examination

51

states that do not require experience

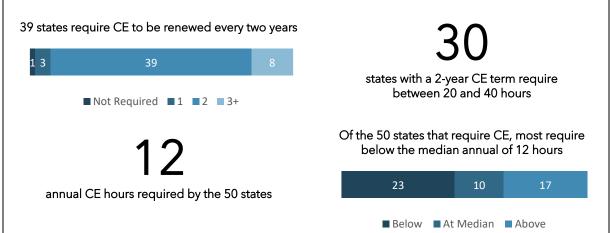
#### **Dental Hygienists**

In Georgia, Dental Hygienists practice may perform sealant application, oral procedures and assessment, fluoride treatment, oral hygiene instruction and education, and exposures of radiographs. Some practices require direct supervision by a dentist, while others require only general supervision (present in the office). As of January 2021, the Georgia Board of Dentistry licensed approximately 7,800 Dental Hygienists.



#### Continuing Education

Like most states, Georgia requires continuing education (CE) hours to be completed every two years. While its requirement of 22 hours is unique, most states require between 20 and 40 hours every two years.



In Georgia, the licensing board may restrict licensure based on a felony conviction. The board may also reject applicants when it determines they do not possess good moral character. Georgia is one of:

6

southeastern states that may restrict licensure based on prior criminal history

6

southeastern states that have a Good Moral Character clause in statute

#### **Basic Requirements**

Georgia's basic licensure requirements are similar to those in other states. As shown below, Georgia is one of:

#### 33 states that allow reciprocity



51

states that require an associate's degree

Minimum age requirements unavailable due to invalid data

51

states that require a professional examination

32

states that require two examinations in addition to the professional examination

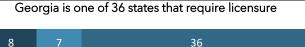
51

states that have a training requirement in addition to an education requirement (Like 19 other states, Georgia requires two years of training) 50

states that do not require experience

#### **Dieticians**

Dieticians plan and conduct food service or nutritional programs to assist in promoting health and disease control. They may also supervise a department that provides quantity food services, counsel individuals, or conduct nutritional research. As of January 2021, the Georgia Board of Examiners of Licensed Dieticians licensed approximately 2,700 Dieticians.

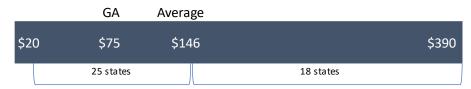


■ None ■ Registration ■ Licensure

#### Costs

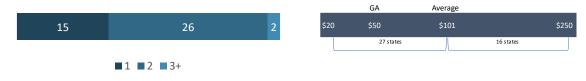
Like Georgia, most states require a license and renewal (of licensure or registration) every two years. Georgia's licensure fee of \$75 and renewal fee of \$50 are lower than the respective national averages.

Georgia's licensure fee is lower than the national fee average, similar to 24 other states



26 states require license renewal ever two years

Georgia's renewal fee is lower than the national average

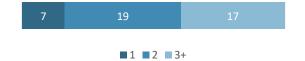


#### Continuing Education

Like 19 states, Georgia requires continuing education (CE) hours to be completed every two years. Its requirement of 30 hours is similar to most other states.

19 states require CE to be completed every two years

14



States with a two-year CE term require 30 hours

14

Of the 43 states that require CE, most require the median annual of 15 hours

annual CE hours required on average by the 43 states



In Georgia, the licensing board may restrict licensure based on any criminal conviction. However, applicants are not subject to a "good moral character" requirement. Georgia is one of:

40

states that may restrict licensure based on a prior criminal history 31

states that do not have a Good Moral Character clause in statute

#### **Basic Requirements**

Georgia's basic licensure requirements are similar to those in other states. However, while Georgia sets a minimum age at 18, most states set no minimum age. As shown below, Georgia is one of:

#### 35 states that allow reciprocity



43

states that require a Post-Graduate degree

9

states that set a minimum age

43

states that require applicants to pass a professional examination

42

states that do not require examinations in addition to the professional examination

43

states that do not require training

43

states that require 1,200 hours of experience

# **Emergency Medical Technicians**

Emergency Medical Technicians (EMTs) and paramedics care for the sick or injured in emergency medical settings. EMTs and paramedics respond to emergency calls, perform medical services, and transport patients to medical facilities. The Georgia Department of Public Health licenses EMTs and paramedics separately and specifies practices each can perform. As of June 2021, Georgia licensed 14,500 EMTs and approximately 8,300 paramedics.

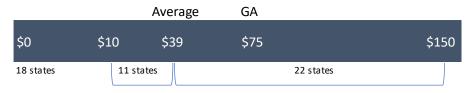
# Georgia is one of 24 states that require licensure



#### Costs

While all states require licensure or certification, as shown below, Georgia is 1 of 33 states that charge an application and initial fee (e.g., licensure fee). All states require renewal every two years, and most charge a single fee once every two years. Georgia's licensure fee of \$75, and renewal of \$90, are both above the national fee average.

#### Georgia's licensure fee is higher than the national fee average



All states require license renewal every two years

Georgia's renewal fee is higher than the national fee average



#### Continuing Education

Like all states, Georgia requires continuing education (CE) hours to be completed every two years. It requires 40 hours of continuing education every two years, which is comparable to many other states.

51

46

states require CE to be completed every two years

states with a two-year CE term require 40 hours

20

46

annual CE hours required on average by the 51 states

states require the median annual of 20 hours

In Georgia, the licensing board may restrict licensure based on a felony or other specified conviction. However, applicants are not subject to a good moral character clause. Georgia is one of:

4

southeastern states that may restrict licensure based on prior criminal history

7

southeastern states that have a Good Moral Character clause in statute

#### **Basic Requirements**

Georgia's basic licensure requirements are not always similar to those in other states. Most states set a minimum age of 18 or older and require training (defined as an approved EMT or a specified number of hours); however, Georgia does not. As shown below, Georgia is one of:

40 states that do not allow reciprocity<sup>12</sup>



51

states that do not require an educational degree

5

states that do not set a minimum age

51

states that require a professional examination

48

States that require an exam in addition to the professional exam

2

states that do not have a training requirement

51

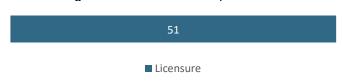
states that do not have an experience requirement

<sup>&</sup>lt;sup>12</sup> Many of these states require EMTs to be part of the National Registry of EMTs (NREMT). This organization oversees the testing and continuing education of EMTs, and participation allows for easy transfer of credentials between states. In Georgia, this is not defined as reciprocity, but it is an avenue for portability.

#### **Licensed Practical Nurses**

Licensed Practical Nurses (LPNs) provide basic nursing care under the direction of registered nurses and doctors. As of January 2021, the Georgia Board of Nursing licensed approximately 31,200 LPNs.

#### Georgia is 1 of 51 states that require licensure



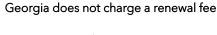
#### Costs

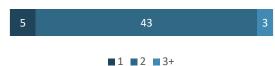
Like Georgia, most states require a license and renewal every one to two years. Georgia's licensure fee of \$40 is lower than the national average. Unlike 48 other states, Georgia does not charge a renewal fee.

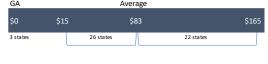
Georgia's licensure fee is lower than the national average, similar to 30 states



43 states require licensure renewal every two years





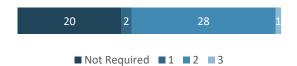


#### Continuing Education

Like most states, Georgia requires continuing education (CE) hours to be completed every two years. The 30-hour CE requirement every two years is also comparable to many other states.

28 states require CE to be completed every two years

# 24



States with a two-year CE term require between 20 and 30 hours

12

Of the 31 states that require CE, most require at or above the median of 12 hours

annual CE hours required on average by the 31 states



In Georgia, the licensing board may restrict licensure based on a felony or other specified conviction. However, applicants are not subject to a good moral character requirement. Georgia is one of:

4

southeastern states that may restrict licensure based on prior criminal history

6

southeastern states that do not have a Good Moral Character clause in statute

#### **Basic Requirements**

Most of Georgia's basic licensure requirements are similar to those in other states. As shown below, Georgia is one of:

#### 51 states that allow reciprocity

51

Yes

51

states that require an associate's degree

Minimum age requirements unavailable due to invalid data

51

states that require applicants to pass a national examination

3

states that require examinations in addition to the national professional examination

51

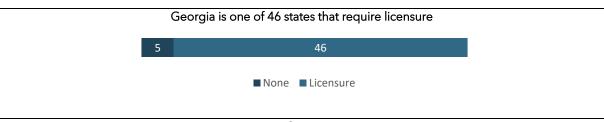
states that do not require training

51

states that do not require experience

## Massage Therapists

Massage Therapists perform therapeutic massage of soft tissues and joints. They may assist in assessing range of motion and muscle strength or propose client therapy plans. Georgia specifically includes cupping therapy, superficial heat/cold, and topical preparations, while it excludes deep thermal ultrasounds and lasers from permitted practices. As of January 2021, the Georgia Board of Massage Therapy licensed approximately 5,800 Massage Therapists.



#### Costs

Like Georgia, most states require a license and renewal every two years. Georgia's licensure fee of \$125 and renewal fee of \$75 are lower than the respective national averages.

Georgia's licensure fee is lower than the national average, similar to 27 other states

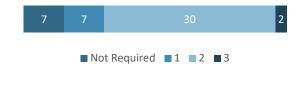


#### Continuing Education

Like most states, Georgia requires continuing education (CE) hours to be completed every two years. However, its requirement of 50 hours is more than most with a two-year term.

30 states require CE to be completed every two years

**■**1 **■**2 **■**3+



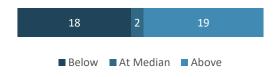
18

states with a two-year CE term require at least 40 hours

18

annual CE hours required on average by the 39 states

39 states' requirements are fairly evenly divided above and below the median of 18 hours



In Georgia, the licensing board may not restrict licensure of individuals based on prior criminal history. However, the board may reject applicants when it determines they do not possess good moral character. Georgia is one of:

3

southeastern states that do not restrict licensure based on prior convictions

3

southeastern states that have a Good Moral Character clause in statute

#### **Basic Requirements**

Georgia's basic licensure requirements are similar to those in other states. As shown below, Georgia is one of:

#### 45 states that allow reciprocity

44

states that require training instead of a specific degree

46

states that require applicants to pass a professional examination

33

states that require 500 hours of training

30

states that specify a minimum age of 18

38

states that do not require examinations in addition to the professional examination

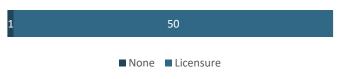
43

states that do not require experience

# Occupational Therapy Assistants

Occupational Therapy Assistants help patients develop, recover, and improve the skills needed for daily living and working. Occupational Therapy Assistants are directly involved in providing therapy to patients under the direction of occupational therapists. As of January 2021, the Georgia Board of Occupational Therapy had approximately 1,500 licensed Occupational Therapy Assistants.

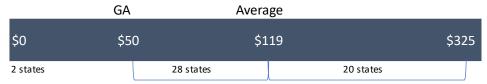
# Georgia is 1 of 50 states that require licensure



#### Costs

Like Georgia, most states require a license and renewal every two years. Georgia's licensure fee of \$50 and renewal fee of \$55 are lower than the respective national averages.

Georgia's licensure fee is lower than the national average, similar to 27 other states



39 states require license renewal every two years

Georgia's renewal fee is lower than the national average

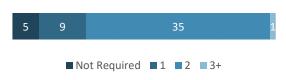


#### Continuing Education

Like most states, Georgia requires continuing education (CE) hours to be completed every two years. Its 24-hour CE requirement is similar to other two-year term states; requirements range from 12 to 40 hours.

# 35 states require CE to be completed every two years

12

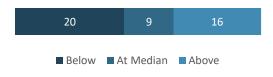


states with a two-year CE term require 24 hours

11

Of the 45 states that require CE, Georgia is 1 of 9 that require the median annual of 12 hours

annual CE hours required on average by the 45 states



In Georgia, the licensing board may not restrict licensure of individuals based on prior criminal history. However, the board may reject applicants when it determines they do not possess good moral character. Georgia is one of:

3

southeastern states that do not restrict licensure based on prior convictions

7

southeastern states that have a Good Moral Character clause in statute

#### **Basic Requirements**

Georgia's basic licensure requirements are similar to those in other states. Georgia requires eight weeks of experience, similar to 20 other states. Ten states require fieldwork as prescribed by the respective accrediting institutions; the remaining 13 states require between 12 and 24 weeks of experience. As shown below, Georgia is one of:

#### 41 states that allow reciprocity



50

states that require an associate's degree

Minimum age requirements unavailable due to invalid data

50

states that require applicants to pass a professional examination

43

states that do not require examinations in addition to a professional examination

50

states that do not require training

43

states that have an experience requirement

## **Pharmacy Technicians**

In Georgia, Pharmacy Technicians may provide nonjudgmental technical services related to preparing for dispensing prescriptions under the direct supervision of a Pharmacist. As of June 2021, the Georgia Board of Pharmacy had approximately 27,900 registered Pharmacy Technicians.

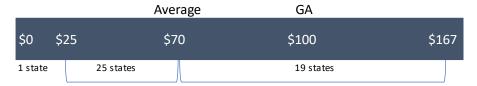
#### Georgia is one of nine states that require registration



#### Costs

Most states require licensure; however, Georgia requires registration. Most states also require the license or registration to be renewed every two years. Georgia's registration fee of \$70 and renewal fee of \$60 are higher than the respective national averages.

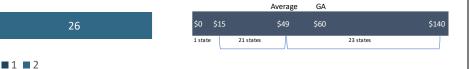
Georgia's registration fee is higher than the national fee average and similar to 18 other states



26 states require registration or license renewal every two years

18

Georgia's renewal fee is higher than the national fee average



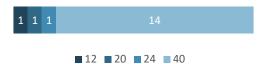
#### Continuing Education

Like 16 other states, Georgia does not require continuing education (CE). Therefore, the charts below do not include Georgia; however, they are included to show the average and median hours for states that require CE.

# Georgia is one of 17 states that do not require CE to be completed

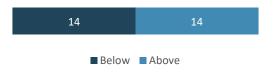


Of the 17 states with a two-year CE term, most require 40 hours



15

Of the 28 states, 14 require more and 14 require less than the median annual of 16 hours



annual CE hours required on average by the 28 states

In Georgia, the licensing board may not restrict licensure based on prior criminal history. Additionally, applicants are not subject to a good moral character requirement. Georgia is one of:

5

southeastern states that do not restrict licensure based on prior convictions

6

southeastern states that do not have a Good Moral Character clause in statute

#### **Basic Requirements**

Georgia's basic licensure requirements are not always similar to those in other states. Most states allow reciprocity and require a professional examination (or allow the employer to require one); however, Georgia does not. As shown below, Georgia is one of:

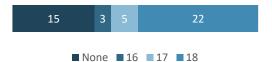
#### Six states that do not allow reciprocity



39

states that do not require an educational degree

27 states that require a minimum age of 17 or higher



Five states that do not require passage of a professional examination



44

states that do not require examinations in addition to a professional examination

40

states that do not require training

36

states that do not require experience

# Physical Therapy Assistants

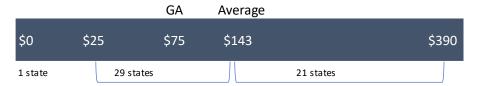
Physical Therapy Assistants work under the direction and supervision of physical therapists. They help patients who are recovering from injuries and illness, primarily by assisting with movement and managing pain. As of January 2021, the Georgia Board of Physical Therapy had approximately 2,700 licensed Physical Therapy Assistants.



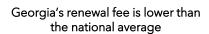
#### Costs

Like Georgia, most states require a license and renewal every two years. Georgia's licensure fee of \$75 and renewal fee of \$90 are lower than the respective national averages.

Georgia's licensure fee is lower than the national average, similar to 28 other states



37 states require license renewal every two years





#### Continuing Education

Like most states, Georgia requires continuing education (CE) hours to be completed every two years. Georgia's requirement of 30 hours every two years is similar to other states and at the annual median requirement of 15 hours. (**Note**: Colorado requires licensure renewal, and CE is required every 1-3 years as determined by the board. Due to the unique nature of this provision, Colorado was not included in the comparisons below.)

# 36 states require license renewal every two years



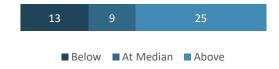
14

annual CE hours required on average by the 47 states

32

states with a two-year term require between 20 and 30 hours of CE

Of the 47 states that require CE, most require more than the median of 15 hours



In Georgia, the licensing board may restrict licensure based on a felony conviction. However, applicants are not subject to a good moral character requirement. Georgia is one of:

6

southeastern states that may restrict licensure based on prior criminal history

5

southeastern states that do not have a Good Moral Character clause in statute

#### **Basic Requirements**

Georgia's basic licensure requirements are similar to those in other states. Most states—like Georgia—require passage of one or more examinations in addition to a professional examination. As shown below, Georgia is one of:

#### 49 states that allow reciprocity



51

States that require an associate's degree

Minimum age requirements unavailable due to invalid data

51

states that require passage of a professional examination

24 states that require an examination in addition to a professional examination



51

states that do not require training

50

■ None ■ 1 ■ 2

states that do not require experience

# Radiological Technologists

Radiological Technologists take X-rays and CAT (computed tomography) scans or administer nonradioactive materials into patient's blood stream for diagnostic purposes. The profession also includes technologists who specialize in other scanning modalities. Georgia does not regulate Radiological Technologists, but information on other states is included below for comparison purposes. As of June 2021, the Georgia Society of Radiological Technologists reported 12,000 technologists in the state.

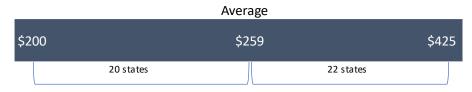
#### Georgia is one of nine states that do not require licensure



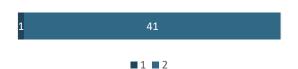
#### Costs

Most states—unlike Georgia—require a license and renewal every two years. Georgia does not regulate Radiological Technologists, but information on other states is included below for comparison purposes.

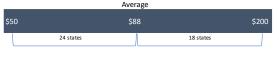
#### 42 states charge a licensing fee



41 states require license renewal every two years



24 states have a renewal fee that is lower than the national average



#### Continuing Education

Most states that regulate the profession require 24 continuing education (CE) hours to be completed every two years.

41

states require CE renewal every two years (one state requires annual renewal)

39

states with a two-year CE term require 24 hours

12

annual CE hours required on average by the 42 states

40

states require the median annual of 12 hours

Of the five southeastern states that regulate Radiological Technologists—Florida, Kentucky, Mississippi, South Carolina, and Tennessee—most do not restrict licensure based on prior criminal history. Additionally, most do not allow the board to reject applicants when it determines they do not possess good moral character.

3

southeastern states do not restrict licensure based on prior criminal history

4

southeastern states do not have a Good Moral Character clause in statute

### Basic Requirements:

Of the 42 states that license Radiological Technologists:

41 states allow reciprocity

■ Yes ■ No

41 1

41

states require training

35

states do not have a minimum age

42

states require applicants to pass a professional examination

41

states do not require examinations in addition to a professional examination

41

states require two years of training

42

states do not require experience

#### Registered Nurses

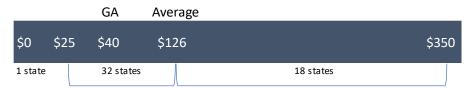
Registered Nurses assess patient health problems and needs, develop and implement nursing care plans, maintain medical records, and administer nursing care to ill, injured, convalescent, or disabled patients. In Georgia, they may also manage, supervise, and teach nurses; administer, order, and dispense medication, diagnostics, and other treatment; and collaborate with other healthcare providers. As of January 2021, the Georgia Board of Nursing had approximately 134,000 licensed Registered Nurses.



#### Costs

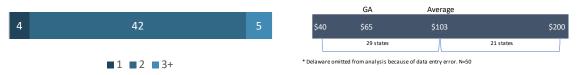
Like Georgia, most states require a license and renewal every two years. Georgia's licensure fee of \$40 and renewal fee of \$65 are lower than the national averages.

Georgia's licensure fee is lower than the national average, similar to 31 other states



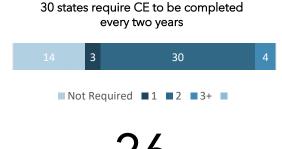
42 states require license renewal every two years

Georgia's renewal fee is lower than the national average



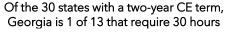
#### Continuing Education

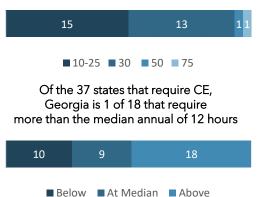
Like most states, Georgia requires continuing education (CE) hours to be completed every two years. However, its requirement of 30 hours is slightly more than most with a two-year term.



20

annual CE hours required on average by the 37 states





In Georgia, the licensing board may restrict licensure based on any prior conviction. The board may also reject applicants when it determines they do not possess good moral character. Georgia is one of:

42

states that may restrict licensure based on a prior conviction

18

states that have a Good Moral Character clause in statute

#### **Basic Requirements**

Georgia's basic licensure requirements are similar to those in other states. As shown below, Georgia is one of:

51 states that allow reciprocity

51

■ Yes

47

states that require a bachelor's degree

47

states that do not specify a minimum age

51

states that require applicants to pass a national examination

39

states that require examinations in addition to a professional examination

47

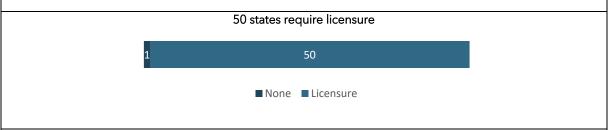
states that require two years of training

51

states that do not require experience

## **Respiratory Therapists**

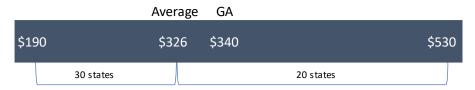
Respiratory Therapists assess, treat, and care for patients with breathing disorders. They assume primary responsibility for all respiratory care modalities, which includes supervising respiratory therapy technicians; initiating and conducting therapeutic procedures; maintaining patient records; and selecting, assembling, checking, and operating equipment. As of February 2021, the Georgia Composite Medical Board had approximately 5,700 licensed Respiratory Therapists.



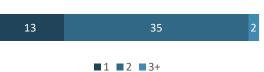
#### Costs

Like Georgia, most states require a license and renewal every two years. Georgia's licensure fee of \$340 and renewal fee of \$105 are higher than the national averages.

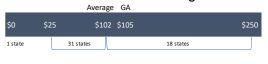
Georgia's licensure fee is higher than the national average, similar to 19 other states



35 states require license renewal every two years

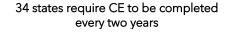


Georgia's renewal fee is higher than the national average



#### Continuing Education

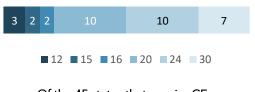
Like most states, Georgia requires continuing education (CE) hours to be completed every two years. However, its requirement of 30 hours is more than most states with a two-year term.



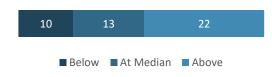


annual CE hours required on average by the 45 states

#### Of the 34 states with a 2-year CE term, Georgia is 1 of 7 that requires 30 hours



Of the 45 states that require CE, Georgia is 1 of 22 that require more than the median annual of 10 hours



In Georgia, the licensing board may not restrict licensure based on prior criminal history. However, the board may reject applicants when it determines they do not possess good moral character. Georgia is one of:

6

southeastern states that do not restrict licensure based on prior criminal history

3

southeastern states that have a Good Moral Character clause in statute

#### **Basic Requirements**

Georgia's basic licensure requirements are similar to those in other states. As shown below, Georgia is one of:

#### 43 states that allow reciprocity



50

states that require an associate's degree

50

states that require applicants to pass a national examination

10 states that require a minimum age of 18



■ None ■ 18

states that require examinations additional to a professional examination

50

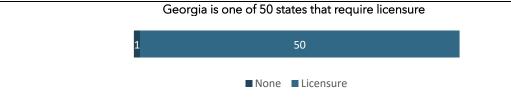
states that do not require training

Experience requirements unavailable due to invalid data<sup>13</sup>

<sup>&</sup>lt;sup>13</sup> Georgia's Composite Medical Board requires three months of experience, per rule.

#### Skin Care Specialists

Skin Care Specialists (referred to as Estheticians in Georgia) "cleanse and beautify the face and body to enhance a person's appearance." In Georgia, these practices can include cosmetic skin care such as waxing, eyebrow threading, and eyelash dyeing. As of January 2021, the Georgia Board of Cosmetology and Barbers had approximately 6,300 licensed Estheticians.



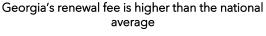
#### Costs

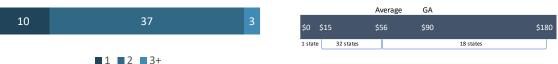
Like Georgia, most states require a license and renewal every two years. Georgia's licensure fee of \$90 and renewal fee of \$90 are higher than the respective national averages.

Georgia's licensure fee is higher than the national average, similar to 16 other states



37 states require license renewal every two years





#### Continuing Education

Unlike most states, Georgia requires continuing education (CE) hours to be completed every two years. Its requirement of five hours is less than most with a two-year term.

10 states require CE to be completed every two years

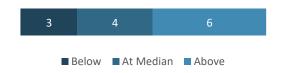


annual CE hours required on average by the 13 states

13

states with a 2-year term require between 4 and 16 hours of CE

Of the 13 states that require CE, most require at or less than the median annual of 4 hours



In Georgia, the licensing board may not restrict licensure based on prior criminal history. Additionally, applicants are not subject to a good moral character requirement. Georgia is one of:

5

southeastern states that do not restrict licensure based on prior convictions

6

southeastern states that do not have a Good Moral Character clause in statute

#### **Basic Requirements**

Some of Georgia's basic licensure requirements are different from those in other states. For example, its requirement for 1,000 training hours is significantly higher than most states. Unlike 35 states, Georgia requires experience, and its requirement of 2,000 hours is higher than all but 4 other states. Finally, Georgia does not require an additional examination, while the majority of states require at least one. As shown below, Georgia is one of:

#### 48 states that allow reciprocity

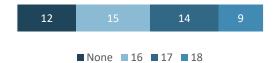


■ Yes ■ No

· ^

states that require training or allow training to reduce another requirement

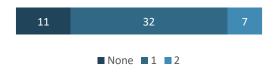
23 states that require a minimum age of 17 or higher



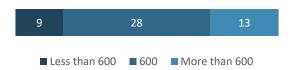
50

states require passage of a professional examination

11 states that do not require examinations in addition to a professional examination



13 states that require more than 600 hours of training



4

states that require 2,000 hours or more of experience

(remaining 11 states require between 350 hours and 1,600 hours)

# Appendix A: Objectives, Scope and Methodology

#### Objectives

This review builds upon data form the National Conference of State Legislatures' (NCSL) Occupational Licensing Database to compare certain data points of Georgia professional regulatory requirements to those in other states. Specifically, our review set out to determine the following:

- 1. Review NCSL data to ensure the data is reliable and standardize data formats; and
- 2. Using the NCSL data, compare the licensing characteristics for the 14 selected professions.

#### Scope

This review uses a subset of the data pre-compiled by NCSL between 2017 and 2019 for their Occupational Licensing Database. Out of the 48 professions in NCSL's data, the audit team selected 14 health-related professions to perform a detailed analysis and comparison of Georgia to other states (see <a href="Appendix C">Appendix C</a> for a list of these professions). According to the U.S. Bureau of Labor Statistics (BLS), 8 of the 20 occupations with the fastest projected growth rate over the next 10 years are in health-related fields. Additionally, as of January 2021, health-related professions accounted for approximately half of the 488,710 professional and business licenses managed by the Georgia Secretary of State Office's Professional Licensing Board Division (PLB). It should be noted that we did not include Nursing Home Administrators in the review because of concerns with data reliability for that profession.

NCSL's data contained 19 numerical and categorical data points associated with professional licensing, certifying, or registering requirements in 50 states and the District of Columbia. The 19 data points focused on categories prone to variation between states (e.g., education and training) or potential barriers to employment (e.g., prior criminal history and minimum age requirements) and were common across all professions. We used 15 of the 19 data points for analysis after determining that none of the 14 healthcare professions we selected used the "Experience with Education" data point and that the "Examination Fee" and "Other Fee" categories were out of date or inconsistently collected. As a result, we also eliminated the "Initial Fees," which was calculated using these two fields (see Appendix B for descriptions of the data points).

To collect the data, NCSL analysts took a tiered approach by first reviewing each respective state's enabling legislation and then rules and regulations related to the profession. As necessary, NCSL analysts interviewed staff of state licensing, certifying, or registering entities. Initially, in 2017-2018, NCSL staff collected data on 34 professions that were licensed, certified, or registered in more than 30 states, had a projected employment growth rate above zero, and did not require more than a four-year degree. In 2018-2019, a separate set of NCSL analysts collected data on an additional 14 professions that had a growth rate above 0%. Interviews with NCSL staff indicated that they periodically identified issues with consistency and accuracy due to individual analysts' interpretations, different collection periods, and potential for human error when collecting such a large amount of data based on reviews of laws, rules, and regulations. When these issues were identified, staff reported making the required changes. Our analyses used 11 professions collected in 2017-2018, and three professions collected in 2018-2019 (see Appendix C for details).

#### Methodology

The audit team performed multiple checks for data reliability, which are discussed in detail below. Any errors identified by the audit team have been communicated to NCSL staff, who

<sup>&</sup>lt;sup>9</sup> Some, but not all, professions had three additional data points related to criminal history restrictions. However, NCSL staff could not verify reliable collection of these data points.

continuously update the data feeding its website based on the unsolicited feedback of state officials and ongoing legislative changes.

To determine the reliability and useability of NCSL's data, we performed a detailed review of all data fields in the NCSL source data for two professions. For one healthcare profession, Physical Therapy Assistants, we reviewed state law of Georgia, Arizona, Massachusetts, and South Carolina to determine whether the audit team agreed with NCSL's interpretation and categorization of statute into the respective data points. To follow NCSL's tiered review methodology, we then reviewed rules and regulations of the respective state regulatory entity, and, as necessary, websites of the respective regulatory entities. We repeated this process for one profession not related to healthcare (Auctioneers) and reviewed Georgia, North Carolina, West Virginia, and Wisconsin to test the likelihood that we would be able to reproduce the results and draw the same conclusions.

The audit team generally found that the data for these two professions were reliable and that most changes noted by the audit team had already been made to NCSL's website. As a result, the audit team compared NCSL's 2017-2019 data to information available on its website for a sample of eight southeastern states (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee) across all healthcare professions. This comparison verified that NCSL's 2017-2019 data were generally reliable, and NCSL staff could easily explain any errors or inconsistencies.

Through these data reliability tests, the audit team also determined we would need to reformat selected fields, which either utilized open text or had inconsistent base units from one state to another, such as using number of weeks of training required in one state and number of months required in another.

The audit team corresponded with NCSL staff throughout this process to ensure a complete understanding of their methodology. As discussed above, multiple methodological nuances created limitations to NCSL's data. Some additional methodology limitations that were not altered by the audit team include:

- Criminal history data points *Blanket Bans* and *Good Moral Character* were identified utilizing a keyword search of statutes. As a result, NCSL staff may have missed or overgeneralized information specific to a state or profession.
- Review of statute, rules, and regulations of specific professions did not consider broad overarching laws. As a result, laws such O.C.G.A. §43-1-19(q), which requires licensing boards<sup>10</sup> to consider the relationship of the crime to the profession, are not applied to the data.
- States with outlier data points—although typically noted by NCSL—were categorized by NCSL staff into entries consistent with all other states, such as a simple "Yes/No" or the educational requirement of a five-year bachelor's degree into "postgraduate degree."

To compare the regulatory characteristics for the 14 selected professions, we verified the accuracy of all data points entered for Georgia through a review of Georgia's statutes, rules, and regulations. As necessary, we adjusted how Georgia's data points were categorized to match our interpretation. For some professions, we reformatted certain data points to consistently show units of measure (weeks versus months) or alter open text entries (e.g., convert "30hrs x 2 years" to "30").

Based on conversations with NCSL staff and our preliminary analyses, we determined that the Cost of Initial Licensure data point was a calculation combining four other data points (Initial Fee, Application Fee, Exam Fee, and Other Fee) and that two of those data points were dated.

-

<sup>&</sup>lt;sup>10</sup> Applies only to boards under the Secretary of State's Professional Licensing Board Division.

Fees for national examinations, for example, have not remained static since 2017. The audit team eliminated the Exam Fee and Other Fee data points and created our own calculation of Cost of Initial Licensure using only Initial Fee and Application Fee.

The audit team analyzed each of the 15 data points independently to determine how Georgia compared to other states. In reviewing each analysis, the audit team decided to remove the occasional outliers when one state's requirements would skew a calculation of national averages or medians.

Due to data reliability concerns identified with the data points *Blanket Ban* and *Good Moral Character*, the audit team determined we could not use NCSL data for the 11 professions NCSL collected data for in 2017-2018. Instead, we used NCSL's methodology to produce our own data for these two data points by reviewing the laws, rules, and regulations of eight Southeastern states. Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee are defined as the southeast region by the U.S. Bureau of Labor Statistics, a nationally accepted source of employment information.

Unlike other reports published by the Performance Audit Division, this report is not a performance audit. As such, adherence to generally accepted government standards were not relevant to this review. However, the work was conducted according to division policies and procedures for non-GAGAS engagements. These policies and procedures require that we plan and perform the engagement to obtain sufficient, appropriate evidence to provide a reasonable basis for the information reported and that data limitations be identified for the reader.

#### Appendix B: Data Points Collected by NCSL on Each Profession

- 1. Licensed (referred to as Regulatory Type for the purposes of this report) States may require a profession to be licensed, certified, or registered.
- 2. Education Requirement Level of education necessary to obtain licensure, certification, or registration.
- 3. Hours of Training Required Number of hours/units of training needed to fulfill the requirements for licensure, certification, or registration.
- 4. Amount of Experience Number of weeks of job experience required for licensure, certification, or registration.
- 5. *Professional Exam Required* Whether or not a professional examination is required for licensure, certification, or registration.
- 6. License Renewal Time (for the purposes of this report referred to as Frequency of Renewal) Number of years before renewal is required for a licensure, certification, or registration.
- 7. Continuing Education Requirement (for the purposes of this report referred to as CE) Hours of continuing education required to maintain licensure, certification, or registration for the state's renewal period.
- 8. Additional Required Exams Number of additional exams required for licensure, certification, or registration (e.g., English proficiency, local jurisprudence, etc.).
- 9. Cost of Initial Licensure (for the purposes of this report referred to as Cost of Initial) The maximum dollar amount that can be charged for initial licensure, certification, or registration. These fees can include the following:
  - 10. Application Fee Fee amount for the application of initial licensure, certification, or registration.
  - 11. Initial Fee Fee amount for the initial licensure, certification, or registration.
  - 12. Exam Fee Fee amount for the professional examination.
  - 13. Other Fee Additional fees required for initial licensure, certification, or registration (background checks, fingerprinting, jurisprudence exam, etc.).
- 14. Cost of Licensure Renewal (for the purposes of this report referred to as Cost of Renewal) The maximum dollar amount that can be charged to renew a license, certification, or registration.
- 15. Reciprocity or Endorsement (for the purposes of this report referred to as Reciprocity) Whether or not the state has a process for accepting individuals already licensed, certified, or registered by another state.
- 16. Good Moral Character Requirement (for the purposes of this report referred to as Good Moral Character) Whether or not state statute has a clause related to good moral character, crimes of moral turpitude, or similar language that could be used by boards to prevent certain individuals from becoming licensed, certified, or registered.

# Appendix B: Data Points Collected by NCSL on Each Profession - cont'd

- 17. Blanket Ban for Ex-Offenders (for the purposes of this report referred to as Restrictions) The extent to which a state has laws in place that prevent individuals with previous offenses from becoming licensed, certified, or registered.
- 18. *Minimum Age* Whether or not there a minimum age requirement for this profession, and what is that age.
- 19. Experience with Education The number of weeks of experience required for licensure as a result of completing an education program. The audit team did not analyze this field because it was not frequently used by professions in our sample.

Appendix C: Reviewed Professions and Oversight Body

Profession Name	Oversight Body	
Data Collected by NCSL in 2017-2018		
Certified Nursing Assistants <sup>1</sup>	Department of Community Health	
Dental Hygienists	Board of Dentistry	
Emergency Medical Technicians	Department of Public Health	
Licensed Practical Nurses	Board of Nursing	
Massage Therapists	Board of Massage Therapy	
Occupational Therapy Assistants	Board of Occupational Therapy	
Pharmacy Technicians <sup>2</sup>	Board of Pharmacy	
Physical Therapy Assistants	Board of Physical Therapy	
Radiological Technologists <sup>3</sup>		
Respiratory Therapists	Composite Medical Board	
Skin Care Specialists (Estheticians)	Board of Cosmetology and Barbers	
Data Collected by NCSL in 2018-2019		
Athletic Trainers	Board of Athletic Trainers	
Dieticians	Board of Examiners of Licensed Dietitians	
Registered Nurses	Board of Nursing	

<sup>&</sup>lt;sup>1</sup> Georgia Nursing Assistants must be certified. Generally, certification requirements are less onerous than licensure requirements.

Source: NCSL Occupational Licensing Database and DOAA Analysis

 $<sup>^{\</sup>rm 2}$  Georgia Pharmacy Technicians must register with the state.

 $<sup>^3</sup>$  Radiological Technologists are not currently regulated in Georgia. Our review identified common practices nationally.

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Our reviews determine if programs are meeting goals and objectives; identify alternate methods to meet goals; evaluate efficiency of resource and regulations; and provide credible management information to	measure program results and effectiveness; rce allocation; assess compliance with laws decision makers. For more information,
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