FARB National Policy Summit on Professional Regulation

The Federation of Associations of Regulatory Boards (FARB) held its inaugural National Policy Summit on Professional Regulation in Washington D.C. on July 23, 2015. This historic meeting of CEOs and Executive Directors, representing associations across 22 professions, provided the opportunity for executive leaders to discuss the challenges facing the regulatory community. The collaboration and camaraderie that evolved highlighted the national stage that FARB is in the unique position to provide.

This summit comes at a crucial time for professional regulation. The recent Supreme Court decision, negative media attention and the general political climate represent a challenge to all professional licensing. There is a tremendous opportunity to work together and present a positive voice for public protection. FARB Executive Director Dale Atkinson enumerated the commonalities among the attending organizations including their membership makeup and their mission to support the protection of the consuming public. Attendees were encouraged to think outside the silos of each profession and realize how much more powerful a cross-profession message would be.

Four themes underpinned the day’s discussions: the state of professional regulation, regulation under challenge, state based licensure, and legislation and policy. The group identified common challenges including the lack of awareness and understanding by the public, media, legislators and others of the important role of professional regulation and the lack of a cohesive voice advocating for common sense regulation. Recent reactions to the Supreme Court decision by associations, governors, attorneys general, and individual boards dominated the conversation. There was general consensus that FARB could play a pivotal role in educating all stakeholders and advocate for positive solutions to national regulatory issues by providing governors, attorneys general and legislators with workable options that advance public protection.

Key insights from the discussion:

- Associations should model good behavior with regards to transparency and information sharing
- Traditionally, information is shared within the regulatory community but not to outsiders
- Small fixes can hamper the ability to focus on the big picture
- Associations should be on the forefront of regulation innovation: not just adapting/reacting to changes
- Associations cannot argue for the profession – that is the role of the trade association – and the perception of self-regulation needs to change
- Attendees agreed on the goal of strengthening public protection through education and advocacy
There is a need for a positive voice in the regulatory community in support of public protection through professional licensure and to address regulation under challenge in general.

FARB was challenged to act as the collective voice and advocate for public protection through regulation due to its cross-professional nature. It is imperative that FARB move beyond serving as an excellent “resource” for the regulatory community, and evolve into both a resource and a proactive advocate to fill the aforementioned void. The limited resources available to FARB were recognized, but attendees were open to addressing the shortfall through additional volunteer resources and funding provided that a concrete roadmap is developed.

Specific action items recommended to FARB by summit attendees include:

- Perform an environmental scan of member organizations to gauge the reactions and needs based on the Supreme Court Decision
- Develop a short Model Board Structure document as a guideline for individual regulatory boards
- Publish a revised Model Uniform Practice Act to address the specific issues in the Supreme Court ruling
- Create a resource toolkit to educate and promote the role of professional licensing in the pursuit of public protection
- Design an advocacy plan for communicating with governors, attorneys general, legislators, professionals, media, trade associations, public, etc.
- Research sources for data including academic or governmental bodies that have already collected information on the regulatory community
- Continue to act as a clearinghouse or facilitator of communication among associations of regulatory boards

FARB has an outstanding opportunity to fill the vacuum and provide a vehicle for the collective voice of professional regulation. In the future, FARB can be positioned to address challenges as they arise and be a proactive force in the community. The first step FARB needs to take is to develop an action plan to address the items outlined above. As the summit successfully opened communication lines between the leadership of many associations, FARB will continue to foster that communication. A second summit is proposed for 2016.

It was significant to have had the breadth of representation and scope of knowledge of the regulated professions in attendance. The Summit was very well received by the participants and FARB looks forward to continued dialogue and action on common regulatory issues.