



Occupational Licensure

A Radiological Perspective

There have been many recent studies reviewing the effectiveness of regulating occupations through licensure, and its impacts on labor markets and the economy. This paper surveys these resources to explore the potential effectiveness of occupational licensure as a regulatory model for Radiological Technologists in Minnesota.

Occupational licensing is the process by which a government agency establishes minimum qualifications required to work in a profession and awards time-limited privileges to do so. Since West Virginia first licensed physicians in 1882, this form of regulation has long been a part of the labor industry.¹ In recent years, though, it has seen rapid growth across many occupations.

In the early 1950s, less than 5 percent of U.S. workers were required to have a license from a state government in order to perform their jobs legally. By 2008, the share of workers requiring a license to work was estimated to be almost 29 percent (Kleiner and Krueger 2013).²

EFFECTS OF LICENSURE

Occupational licensure is often deemed necessary for certain professions. In these professions, licensure is thought to have some advantages, including the protection of the public, ensuring quality, and benefiting workers.³

Recent research has also shown adverse effects from the unnecessary use of occupational licensure in certain labor fields; including increased consumer prices, restricted mobility for workers, and limited access for unlicensed workers into the labor market.⁴

Health care professions lead all labor fields with licensed occupations, with more than 80 percent of practitioners and over 60 per cent of support staff reporting holding occupational licenses.⁵ Why then, is occupational licensing standard practice in the health care field (including 35 states currently licensing Radiological Technologists)? Does it, in fact, lead to positive effects for the health care worker and their patients? Is occupational licensing right for the profession of Radiological Technologist in Minnesota?

PUBLIC SAFETY

Occupational licensing is commonly used in health care because the practice of these professions directly affects the safety of the public. Occupational licensing is a means to help protect the public by regulating who is qualified to practice in some areas within the health care profession.

The Public Interest Hypothesis sets one of the main theoretical frameworks behind the need for occupational licensing.⁶ The hypothesis states that in some occupations, there is an asymmetry in access to information for a consumer about the quality of care

they may receive from a service provider. For example, there is no meaningful way for a consumer, on their own, to assess if a surgeon has the expertise necessary to operate on them safely.

In most fields, this asymmetry in information does not usually have serious consequences, for instance, choosing a hair stylist. However, in health care, low-quality work from an under-qualified worker can result in severe harm to the patient.⁷

Due to this asymmetry in information, occupational licensing has become the standard in health care for regulating workers. The universal licensing of Physicians and Registered Nurses is evidence of this standard. The same reasons for their licensure also apply to Radiologic Technologists. The malpractice of the radiological profession - e.g. improper application of radiation, contrast media or pharmaceuticals - can have very harmful effects on patients. Also, just like with physicians and nurses, patients do not have a way to, on their own, determine who is or isn't qualified to perform their radiographic examinations. Therefore, there should be equivalent minimum standards for all radiology workers who apply medical radiation to patients.

PROFESSIONAL BENEFITS

In addition to the safety of the public, licensure for Radiologic Technologists can have many positive effects for the workers in the profession. A 2016 Brookings Institution Report showed an average of 2% increase in wages for health care workers holding an occupational license.⁸ Another study unique to the effects of occupational licensing on Radiologic Technologists showed an increase of 3-6% in wages for those working in states requiring licensing.⁹ There is also evidence that occupational licensing can lead to better working conditions and lower rates of unemployment.¹⁰

POSSIBLE OBJECTIONS

Recent studies on occupational licensure have also shown that over the years, occupational licensure has been over utilized, and misused in many industries which have lead to undesirable effects. Such effects include decreased mobility for workers within the industry and higher consumer costs.¹¹

Experts agree that in some sectors, though, regulating workers through occupational licensure is simply necessary for public safety.¹² Furthermore, there are ways to implement these regulations which reduce, or eliminate these undesirable effects. The 2015 White House report on occupational licensure outline some of these recommendations.

- Limiting licensing requirements to those that address legitimate public health and safety concerns to ease the burden of licensing on workers.
- Applying the results of comprehensive cost-benefit assessments of licensing laws to reduce the number of unnecessary or overly-restrictive licenses.

- Within groups of States, harmonizing regulatory requirements as much as possible, and where appropriate entering into inter-State compacts that recognize licenses from other States to increase the mobility of skilled workers.
- Allowing practitioners to offer services to the full extent of their current competency, to ensure that all qualified workers are able to offer services.¹³

Another objection would be that the industry can better self-regulate itself through a credentialing program. Credentialing is a process where a private entity determines qualifications to obtain a professional designation. Some experts believe that unwanted economic effects of licensure may be avoided, by not involving the government.¹⁴

In a profession where the public's safety is at stake, though, credentialing is simply not enough. There are too many different occupations that intersect with medical imaging, that industry self-regulation through credentialing programs is not viable. Infringement on the scope of practice of Radiological Technologists from professions that do not have adequate background radiation training to operate medical imaging equipment is a potential consequence of under regulation.

Occupational licensure allows for a qualified board of experts in radiology to set meaningful minimum standards to practice radiography in Minnesota. It also creates a process to vet each person who wishes to do so.

CONCLUSIONS

Recent literature on occupational licensing clearly shows a call to scale back regulations to only necessary occupations.¹⁵ However, some professions, by necessity, do require regulation to protect the public.

Without question, there are professions where licensing is required—specifically when the public's health and safety are at risk. For example, when hiring an electrician, it's important to be able to figure out whether the person knows what they're doing; selecting a jack-of-all-trades might send your house up in flames. Like doctors and lawyers, electricians have to get a license from the government before they can work. That way, identifying qualified electricians need not involve letting a few houses go up in flames, and a person who buys or rents a house can have relative confidence that the tradesman who did the work was credentialed.¹⁶

Radiologic Technologists are a group of professionals that could greatly benefit from requiring a license to practice in Minnesota. As Radiological Technologists are a highly skilled group of workers, requiring that workers meet minimum standards of education is what is best for patients. With the health and safety of the public at stake, industry self-regulation is simply not enough. It is the conclusion of this paper that occupational licensure for Radiological Technologists would benefit both patients and workers in Minnesota.

ENDNOTES

¹ Kleiner, M. M. (2015, January). The Hamilton project Brookings 1 reforming occupational licensing policies. Retrieved from https://www.brookings.edu/wp-content/uploads/2016/06/THP_KleinerDiscPaper_final.pdf

² *ibid.*

³ OCCUPATIONAL LICENSING: A FRAMEWORK FOR POLICYMAKERS. (2015, July). . Retrieved from https://www.whitehouse.gov/sites/default/files/docs/licensing_report_final_nonembargo.pdf

⁴ Kleiner, M. M. (2015, January). The Hamilton project Brookings 1 reforming occupational licensing policies. Retrieved from https://www.brookings.edu/wp-content/uploads/2016/06/THP_KleinerDiscPaper_final.pdf

⁵ OCCUPATIONAL LICENSING: A FRAMEWORK FOR POLICYMAKERS. (2015, July). . Retrieved from https://www.whitehouse.gov/sites/default/files/docs/licensing_report_final_nonembargo.pdf

⁶ Timmons, E. J., & Thornton, R. J. (2007). The effects of licensing on the wages of Radiologic Technologists. *Journal of Labor Research*, 29(4), 333–346. doi:10.1007/s12122-007-9035-9 Citations, Quotes & Annotations

⁷ Nunn, R. (2016, June 21). Occupational Licensing and the American Worker. Retrieved August 27, 2016, from <https://www.brookings.edu/research/occupational-licensing-and-the-american-worker/>

⁸ *ibid.*

⁹ Timmons, E. J., & Thornton, R. J. (2007). The effects of licensing on the wages of Radiologic Technologists. *Journal of Labor Research*, 29(4), 333–346. doi:10.1007/s12122-007-9035-9 Citations, Quotes & Annotations

¹⁰ Nunn, R. (2016, June 21). Occupational Licensing and the American Worker. Retrieved August 27, 2016, from <https://www.brookings.edu/research/occupational-licensing-and-the-american-worker/>

¹¹ *ibid.*

¹² OCCUPATIONAL LICENSING: A FRAMEWORK FOR POLICYMAKERS. (2015, July). . Retrieved from https://www.whitehouse.gov/sites/default/files/docs/licensing_report_final_nonembargo.pdf

¹³ *ibid.*

¹⁴ Kleiner, M. M. (2015, January). The Hamilton project Brookings 1 reforming occupational licensing policies. Retrieved from https://www.brookings.edu/wp-content/uploads/2016/06/THP_KleinerDiscPaper_final.pdf

¹⁵ *ibid.*

¹⁶ 075, dickx. (2015, July 8). Professor Morris Kleiner’s research on occupational licensing influences federal policy. Retrieved August 27, 2016, from <https://www.hhh.umn.edu/news/professor-morris-kleiners-research-occupational-licensing-influences-federal-policy>