



## Coronavirus response undermines case for many regulations

Ray Carter

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Gov. Kevin Stitt has signed an executive order that waives various regulations in Oklahoma, including mandates restricting the provision of telemedicine, to help address issues associated with coronavirus.

Other governors across the nation, as well as the federal government, have taken similar deregulatory steps. In doing so, those efforts have raised a crucial question: Were those regulations really needed in the first place?

Many experts say the answer is “no.”

“The fact that they’re recognizing that these regulations are problematical during a health emergency is just proof positive that they’re problematical all the time and that they need permanent repeal,” said Byron Schломach, director of the 1889 Institute, an education and research organization.

The 1889 Institute has previously highlighted problems in Oklahoma government regulation, saying lawmakers need to “stop creating governance structures where conflicts of interest, self-dealing, and groupthink are to be expected.”

In Oklahoma, Oklahoma health-care providers have been required to have a pre-existing relationship with a patient before providing care via telemedicine. Stitt’s executive order waived that mandate, which the governor’s office noted in a press release makes it “easier for Oklahomans to see a doctor without leaving home.”

Stitt’s order also allows health care professionals who are licensed in another state to receive a temporary license to practice in Oklahoma.

The order also slashes restrictions on truck drivers and commercial vehicles so they can more easily transport medical supplies and other items across the state.

Stitt's action on out-of-state medical licenses and telemedicine is similar to steps taken by other governors across the country from both political parties. Yet repeal of those regulations was sought by experts long before the outbreak of the coronavirus.

"Cato's work on occupational licensure in medical and other fields goes back many decades and continues to the present," writes Walter Olson, a senior fellow at the libertarian Cato Institute. "There is strong evidence that licensing burdens in many areas could be scaled back or eliminated entirely at no cost in consumer welfare (and often a gain), and that interstate barriers to recognition of licenses held in good standing elsewhere impose particularly high costs to little benefit."

In many instances, government regulation has been a major impediment to addressing health concerns during the coronavirus event.

Jeffrey A. Singer, a general surgeon in Arizona and a senior fellow at the Cato Institute, recently noted that challenges in distributing tests for coronavirus were driven largely by government regulation.

Singer pointed out that the federal Centers for Disease Control and Prevention "took control of distributing and administering tests while the private sector and foreign-developed tests were kept out of the process during the crucial weeks between when the virus was first identified in December and when it started rapidly spreading among the American public. The obstacles to private-sector action are only now being lifted."

Among other things, he noted that government regulation initially prevented the use of "tests already in use in other countries."

While the coronavirus has incentivized state governments to begin deregulating, the need for deregulation has been a growing topic in Oklahoma for months.

At an August 2019 legislative study, Oklahoma lawmakers were told they could increase state economic growth by repealing regulations. James Broughel, a senior research fellow at the Mercatus Center at George Mason University, reported that Oklahoma's administrative code is 9.3 million words in length and contains 145,296 restrictions. That's above the national average of roughly 131,000.

Prior to the coronavirus scare, Stitt said he would focus on deregulation as governor, saying he wants to slash state red tape by 25 percent. The governor has called for repealing two state regulations for every new regulation placed on the books.

And, earlier this month, the Oklahoma Senate approved the "Universal Occupational License Recognition Act." If that legislation becomes law, an occupational license or certificate issued in another state would be recognized as valid if the holder moves to Oklahoma and is not facing any disciplinary action.

Scott Sumner, the Ralph G. Hawtrey Chair of Monetary Policy at the Mercatus Center at George Mason University, has previously summed up research on regulation bluntly.

"One of the most basic ideas in economics," Sumner wrote, "is that the vast majority of regulations are harmful."

