



# CAFTA-DR Facts

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## The CAFTA-DR is not “Anti-Dentist”; State Licensing Requirement Not Affected

Some critics have alleged that the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) will weaken dental licensing or qualification standards in U.S. states, because of provisions in the agreement calling on countries to make those criteria objective and transparent.

This is simply wrong.

### **The CAFTA-DR will not weaken or affect U.S. states’ professional licensing standards for dentists, doctors or other professionals:**

- The CAFTA-DR does not say governments must avoid imposing licensing and qualification standards that are difficult to satisfy. As is clear from the text (Article 11.8), the CAFTA-DR instead calls on the seven governments to do their best to see that licensing standards are objective, transparent, and designed to ensure quality of services. There is no question that licensing standards in U.S. states fully satisfy these criteria.
  - The main purpose of Article 11.8 is to encourage Central American countries and the Dominican Republic to use fair and objective criteria in professional licensing, just like U.S. states already do.
- This Article is framed only as a “best efforts” provision. It requires that the Parties “endeavor” to meet its terms “as appropriate” for individual sectors. As a “best efforts” provision, it gives states broad discretion to maintain licensing and qualification standards as they see fit.
- Language like that in the CAFTA-DR has been included in the WTO services agreement and in the North American Free Trade Agreement for more than ten years. It has never led to claims challenging any U.S. licensing or qualification standards for dental or other professional service suppliers. The types of commitments on licensing and qualifications in U.S. free trade agreements, including the CAFTA-DR, have had no impact on states’ and professions’ ability to establish and enforce their own licensing standards.