



# Board of Physicians

*Wes Moore, Governor · Aruna Miller, Lt. Governor · Harbhajan Ajrawat, M.D., Chair*

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## 2025 SESSION POSITION PAPER

**BILL NO.:** HB 482 – Occupational Licensing and Certification - Criminal History -  
Predetermination Review Process  
**COMMITTEE:** Economic Matters  
**POSITION:** Letter of Concern

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**TITLE:** Occupational Licensing and Certification - Criminal History -  
Predetermination Review Process

### **POSITION & RATIONALE:**

The Maryland Board of Physicians is respectfully submitting this letter of concern for House Bill 482 – Occupational Licensing and Certification - Criminal History - Predetermination Review Process (HB 482). While the intent of HB 482 is positive, the Board is concerned that in practice, HB 482 would limit the ability of the Board to thoroughly verify that applicants meet all licensure standards, and could potentially place even more burdens on applicants with criminal convictions.

Under current law, in order to obtain a health occupations license issued by the Board, applicants must submit a criminal history record check (CHRC) and disclose information regarding criminal history. The Board thoroughly reviews each applicant’s criminal history and uses the balancing factors outlined in Maryland Annotated Code, Criminal Procedure Article §1-209, when making determinations about licensure. It is exceedingly rare that the Board denies an application based solely on the grounds of a criminal conviction. For example, in fiscal year 2024, the Maryland Board of Physicians processed 8,004 CHRCs, including 163 with positive results, but did not deny a single application due to an applicant’s criminal history.

While denial of licensure is rare, the ability to properly investigate prior criminal history is essential to the Board’s mission of safeguarding the public through licensure of its health professionals. The creation of a predetermination review process for criminal convictions, while well intended, could have a deleterious effect on applicants. As referenced earlier, denials of licensure based solely on a criminal conviction are exceedingly rare and only take place after a thorough investigation and review of the context and circumstances surrounding the conviction. However, absent the full context and circumstances surrounding the conviction, in the interest of public safety, the Board may be forced to err on the side of rejecting applications due to convictions that could potentially result in a denial of licensure, but that might otherwise have been approved. The Board would then need to establish an appeals process, which could be costly both for the Board and the applicants, and could potentially discourage applicants from ever submitting a full application following an initial rejection.

A predetermination process would also fail to encompass scenarios where the board approves the issuance of a license with conditions. For example, if a physician’s criminal history seems to indicate a history of drug or alcohol abuse, the Maryland Board of Physicians may choose to issue the license, but require, as a

condition of licensure, that the applicant participate in the Maryland Physician Rehabilitation Program for monitoring and counseling. Scenarios such as these are far more common than outright denials of licensure but would not be possible with the predetermination review outlined in HB 482.

The Board strongly believes that the application process should never place an undue burden on the applicant and has developed procedures to allow applicants with prior criminal convictions to be treated fairly, respectfully, and without unnecessary delay. Given the rarity of cases where a license was denied due to a prior criminal conviction, the Board believes that these procedures have been demonstrably effective in ensuring that a criminal conviction is not a barrier to licensure. However, HB 482 would restrict the Board's ability to properly protect the public. Therefore, the Maryland Board of Physicians would urge the Committee to submit an unfavorable report unless HB 482 is amended to remove the health occupations boards.

Thank you for your consideration. For more information, please contact Christine Farrelly, Executive Director, [Christine.Farrelly@maryland.gov](mailto:Christine.Farrelly@maryland.gov).

Sincerely,

A handwritten signature in black ink that reads "Ingh Ajrawat". The signature is written in a cursive, flowing style.

Harbhajan Ajrawat, M.D.  
Chair, Maryland Board of Physicians

**The opinion of the Board expressed in this document does not necessarily reflect that of the Maryland Department of Health or the Administration.**