

HB 482_Del Harrison_FAV (1).pdf

Uploaded by: Delegate Andrea Harrison

Position: FAV



Economic Matters Committee

Subcommittees

Alcoholic Beverages

Banking, Consumer Protection,
and Commercial Law

Worker's Compensation

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

**Written Testimony – HB 482 – Occupational Licensing and Certification – Criminal
History – Predetermination Review Process**

March 19, 2025

Good afternoon, Chair Beidle, Vice Chair Hayes, members of the Finance Committee, and members of the Education, Energy and the Environment Committee.

For the record, I am Delegate Andrea Fletcher Harrison, and I am here today to introduce HB 482. I have brought forth this piece of legislation to reduce barriers to re-entry for persons who have been formerly incarcerated. It is important to me that people have second chances to lower chances of recidivism, encourage successful re-entry to society and our communities, and to help support Maryland businesses.

HB 482 creates a pre-clearance process for individuals with criminal records. That would require licensing agencies, if requested, to provide binding guidance as to whether an individual's criminal record would be prohibitive for licensure. That pre-clearance process would require the board to provide individualized consideration of the applicant's criminal record, including evidence of rehabilitation. Simply put, this bill would require licensing agencies to conduct honest and fair reviews of criminal records before returning citizens invest their valuable time and money pursuing a desired profession.

HB 482 is crucial because of its many societal and economic benefits. Current policies do not promote an equitable workforce. The Prison Policy Initiative, a nonprofit, nonpartisan research group has conducted studies about hiring previously incarcerated people. Their 2018 study shows that previously incarcerated people are 27 times more likely to be unemployed, which is higher than the unemployment rates during the Great Depression. This is especially true among marginalized groups.

Their study also showed that non-violent ex-offenders are willing to work. However, they struggle with getting a job for up to three years after their release, the most crucial years for successful re-entry. After years of struggle, the recidivism rate increases which stunts the rehabilitation progress and creates public safety risks due to the rising likelihood of recidivism.

Unfortunately, their record acts as a collateral consequence for years to decades later, no matter their qualifications or years since the offense happened. This prejudice impedes Marylanders from creating successful lives, communities, and families. With HB 482, we can unlock the 19 percent of Maryland jobs that require licensing and certificates while increasing public safety and encouraging reintegration.

The Society for Human Resource Management has a study that shows CEOs, managers, and workers are willing to hire and work alongside persons who have been formerly incarcerated. If the public is open to working with non-violent persons who have been formerly incarcerated, so should licensing authorities. Persons who have been formerly incarcerated can utilize the plethora of skills they had before prison, learned in prison, or after. This is especially true when their prior offenses do not hinder their ability to work or don't affect the safety of the people around them.

Everyone has a past, and it's our responsibility as lawmakers to show that the past doesn't define anyone. Change and progress are always possible; together, we can keep improving the quality of formerly incarcerated people in Maryland and the families, communities, and businesses affected by the structural barriers presented by licensing.

Thank you for your time, and I urge a favorable report on HB 482.

3.19..25 Testimony of Jennifer McDonald of Institu

Uploaded by: Jennifer McDonald

Position: FAV



INSTITUTE FOR JUSTICE

**Testimony in Support of House Bill 482
Maryland Senate Committee on Finance**

March 19, 2025

Dear Chair Beidle and Members of the Committee:

Thank you for the opportunity to submit testimony in support of HB 482, which will improve opportunities for justice-involved people and for employers who want to hire them. My name is Jennifer McDonald and I am an assistant director of activism at the Institute for Justice. IJ is a nonprofit public interest law firm that works to protect civil liberties. For more than 30 years, IJ has worked to protect the right to earn a living and to reduce barriers to work, and studied the burdens of occupational licensing, particularly on lower- to middle-income workers and people with criminal records.

Occupational licensing comes at a great cost to workers. Licensing laws commonly require aspiring workers to spend time and money completing training and testing before they can work, and there is little evidence that licensing improves quality.¹ At the same time, there is mounting evidence that licensing creates significant barriers to entry and disproportionately affects certain populations, especially people with criminal records, who are often overlooked.²

Roughly 30 percent of Americans have criminal records and make up an increasingly large share of the workforce.³ Further, nearly 20 percent of Maryland workers need a license to work.⁴ Together, these percentages show the potential licensing laws have to prevent justice-involved people who are rehabilitated from re-entering the workforce and employers from hiring them.

In 2020, the Institute for Justice published *Barred from Working*, a comprehensive study of the collateral consequences of occupational licensing restrictions for people with criminal records.⁵ The study used 10 criteria to grade all 50 states and the District of Columbia on their legal protections for licensing applicants with criminal records. **In the report, Maryland scored low on its due process protections for people with criminal records in occupational licensing.**⁶ The report found that Maryland has multiple loopholes that make returning to workforce particularly difficult. Despite the protests from some licensing boards, disclosures required by a 2018 Maryland law found that between 2014 and 2018, seven licensing boards at the Department of Health had a denial rate of more than 20%.

Additionally, the extremely low rate of applications from Maryland residents with a criminal record also suggests that the existing requirements are a strong deterrent from applying for these licenses in the first place.



INSTITUTE FOR JUSTICE

HB 482 addresses these problems. It allows people with criminal records to apply to a licensing board for a determination about whether their criminal record disqualifies them from getting a license.

These reforms are good for returning citizens and good for the state. They help address labor shortages and promote public safety. Research shows a job is one of the best ways to reduce the likelihood a person will re-offend, and states that have lower barriers to re-entry also have lower rates of recidivism.⁷

In conclusion, reducing unnecessary licensing barriers is an important way the state can safely create opportunities, support businesses, and stimulate economic growth. I encourage the committee to support these important reforms. Thank you.

Sincerely,

Jennifer McDonald
Assistant Director of Activism
Institute for Justice
901 N. Glebe Road, Suite 900
Arlington, VA 22203
(703) 682-9320
jmcdonald@ij.org

¹ Knepper, L., Deyo, D., Sweetland, K., Tiezzi, J., & Mena, A. (2022). *License to work: A national study of burdens from occupational licensing*. (3rd ed). Arlington, VA: Institute for Justice.

<https://ij.org/report/license-to-work-3/>

² *Id.*

³ Umez, C. & Pirius, R., *Barriers to Work: People With Criminal Records*, National Conference of State Legislatures (July 17, 2018), <https://www.ncsl.org/research/labor-and-employment/barriers-to-work-individuals-with-criminal-records.aspx>.

⁴ Institute for Justice, *At What Cost? State and National Estimates of the Economic Costs of Occupational Licensing* (Nov. 2018), <https://ij.org/report/at-what-cost>.

⁵ Sibilla, N., *Barred from Working: A Nationwide Study of Occupational Licensing Barriers for Ex-Offenders* (“Barred from Working”), Institute for Justice (June 2020), <https://ij.org/report/barred-from-working/>.

⁶ See *Barred from Working*, at “State Grades,” <https://ij.org/report/barred-from-working/state-grades/>.

⁷ Slivinski, S., *Turning Shackles Into Bootstraps: Why Occupational Licensing Reform is the Missing Piece of Criminal Justice Reform*, Center for the Study of Economic Liberty at Arizona State University (Nov. 2016), <https://csel.asu.edu/sites/default/files/2019-09/csel-policy-report-2016-01-turning-shackles-into-bootstraps.pdf>.

HB0482_RBIJ_ODonnell_FAV.pdf

Uploaded by: Maggie O'Donnell

Position: FAV



March 17, 2025

Re: HB 482, An Act concerning Occupational Licensing and Certification – Criminal History – Predetermination Review Process

Dear Members of the Senate Finance Committee,

The Responsible Business Initiative for Justice (RBIJ) is an award-winning international nonprofit that works with companies to champion solutions that promote public safety, deliver justice, and strengthen communities. Since its inception, RBIJ has collaborated with companies of all sizes across two dozen states to advocate for practical policy reforms that expand workforce opportunities and stimulate economic growth. **We stand in support of the passage of HB 482, legislation that would strengthen the economy, expand the talent pool for businesses, and give hardworking Marylanders a meaningful second chance.**

Approximately one million people, or [22% of Maryland's adult population](#), have some form of criminal record. Even decades after release, these records can present an enormous obstacle to a person's ability to find and retain employment. For occupations that require a license, that barrier is even greater. In Maryland, [one in five workers](#) need to obtain an occupational license before they can begin work in fields as varied as plumbing, dentistry, nursing, law, and cosmetology. Unfortunately, the process can require substantial investments of time and money; in Maryland, the average license for low- and moderate-income jobs takes 532 days of education and experience, making the state the ninth most burdensome for licensing laws in the nation. Maryland's current laws also unnecessarily restrict individuals with criminal records, keeping potential employees out of the workforce and preventing willing employers from hiring them. Further, individuals with a criminal history are often unaware if their record will disqualify them from obtaining a license until they've completed all of the necessary education and experience.

The costs of this are huge — for businesses and communities alike. Marylanders are facing an ongoing labor shortage with [33 available workers for every 100 open jobs](#). As companies look to fill these vacancies, we should be working to ensure that people who want these jobs and have paid their dues to society can earn their licenses and enter the workforce. To keep the workforce growing, however, Maryland needs to ensure there is a strong and diverse talent pool for the businesses that call this state home — and those that plan to set roots here. Reducing barriers to licensing is a solution which would allow employers to tap into a vast, underutilized, and productive workforce.

Occupational licensing reform also saves tax dollars and increases prosperity. Data suggests that overly restrictive licensing laws reduce state and local tax revenue by preventing people from working. The Institute for Justice estimates that licensing costs Maryland's economy [\\$3.27 million](#) and leads to more than 23,000 fewer jobs every year. By removing or reducing barriers to

The Responsible Business Initiative for Justice is the collective name for RBIJ USA (a fiscally sponsored project of NEO) and RBIJ UK (a non-profit community interest company (company number: 12100724))

www.rbij.org | info@rbij.org



employment, states can boost incomes, increase sales tax revenue, and reduce the need for long term government support.

For employers, it's also essential that employees and their families have a safe place to live and work. Since having a job is one of the most important factors in determining whether someone will reoffend, licensing reform will serve to make communities safer. Helping returning citizens reenter the workforce benefits everyone.

Establishing a predetermination review process and removing unnecessary barriers to occupational licensing are common-sense solutions to address the labor shortage, grow Maryland's economy, and reduce recidivism. We urge the legislature to pass HB 482.

Respectfully,

Maggie O'Donnell
Director of Policy & Advocacy
Responsible Business Initiative for Justice (RBIJ)
maggie@rbij.org

SWASC - HB482 - Occupational Licensing and Certifi

Uploaded by: UM SWASC

Position: FWA

TESTIMONY IN SUPPORT OF HB 482 WITH AMENDMENTS
**Occupational Licensing and Certification – Criminal History – Predetermination Review
Process**
Finance and Education, Energy and the Environment Committees
March 19, 2025

Social Work Advocates for Social Change strongly supports HB 482 with amendments that make occupational licensing or certification more available for individuals with criminal histories. This bill would establish a predetermination process for applicants to request a review of their criminal history to determine whether it would disqualify them from obtaining the license or certificate they are pursuing. It will also require certain Maryland departments to provide remedy steps for the individual.

Social Work Advocates for Social Change respectfully urges the committee to adopt the following amendment to ensure that HB 482 does not remove current statutory protections for applicants: Delete the brackets on page 3 of the proposed legislation that removes current statute, Section (f) (2) lines 8 through 13:

“If a period of 7 years or more has passed since an applicant completed serving the sentence for a crime, including all imprisonment, mandatory supervision, probation, and parole, and the applicant has not been charged with another crime other than a minor traffic violation, as defined in § 10-101 of this article, during that time, a department may not deny an occupational license or certificate to the applicant solely on the basis that the applicant was previously convicted of a crime.”

Without this amendment, if the current statute is repealed, applicants previously convicted of a crime more than seven years ago who have served their time can now be denied licenses based solely on that older record, ultimately creating additional barriers to reentry.

HB 482 with amendments could reduce recidivism. One of the primary causes of recidivism is a lack of resources, specifically education, employment, and housing.¹ HB 482 directly or indirectly affects all three of these resources. Obtaining a license or certification requires education and has the potential to enhance a person’s employment and income. Enhanced employment and income increase a person’s ability to secure adequate housing. HB 482 begins to address one of the potential roadblocks in this process.

HB 482 seeks to address racial inequities in Maryland’s judicial system. The potential to combat racial inequity in Maryland’s criminal justice, correctional, and rehabilitation systems is significant. Black Marylanders make up 29% of Maryland’s population; however, they are 71% of the state's prison population, amounting to over 11,360 individuals.² Of the 3,095 inmates released in 2023, around 2,200 were Black.³ This bill will enhance transparency and

¹ *What is recidivism? And why is addressing it key to reducing crime?* (2022). Stand Together. <https://standtogether.org/stories/strong-safe-communities/what-is-recidivism-and-why-is-addressing-it-key-to-reducing-repeat-crime>

² Racial Equity Impact Note. (2024). In *Maryland General Assembly*. <https://mgaleg.maryland.gov/Pubs/BudgetFiscal/2024RS-HB0175-REIN.pdf>

³ Racial Equity Impact Note. (2024). In *Maryland General Assembly*. <https://mgaleg.maryland.gov/Pubs/BudgetFiscal/2024RS-HB0175-REIN.pdf>

remove barriers related to criminal histories for obtaining occupational licenses and certifications. Improved transparency and awareness for corrective action will enable greater access to employment, potentially higher earnings, and self-empowerment, especially for Black individuals with criminal records.

HB 482 as amended could create more needed employees for small businesses. Maryland requires licensure or certification in 167 out of 331 occupations.⁴ The passage of House Bill 482 could positively impact small business employers within the state, as it would potentially increase the pool of eligible, licensed, or certified employees. One such field of employment is an HVAC technician. Currently, there is a shortage of HVAC technicians, and the field is expected to grow by 15% over the next decade.⁵ By removing barriers to licensure or certification for individuals with criminal histories, small businesses may find it easier to fill positions requiring professional licensure or certification, enhancing their operations and contributing to Maryland's economy.

HB 482 as amended could have substantial fiscal benefits to the state's revenues. The bill's potential economic benefits are considerable: it requires only 180 new individuals with criminal histories to acquire licenses or certifications annually, with a net Maryland income of \$47,000 each, to offset the additional expense to the state budget.⁶ Calculations based on the percentage of civilians requiring a license or certification for employment and the state's prison population, Maryland could see a potential \$2 million increase in annual tax revenue due to higher incomes of people with criminal histories acquiring a license or certificate. Using the HVAC technician example, as of January 2025, the average salary for an HVAC technician in Maryland was \$66,481 per year or \$31.96 per hour.⁷ Compared to the average wage a person with a misdemeanor criminal history makes 22% less per year.⁸

HB 482 with amendments presents a balanced and fair approach to improving the occupational licensing and certification process for individuals with criminal histories. It enhances economic opportunities for a significant portion of Maryland's population and begins to address racial disparities within the state's criminal justice system. We urge you to support this bill for the betterment of our community, economy, and overall social equity.

Social Work Advocates for Social Change urges a favorable report on HB 482 with amendment. Without the aforementioned amendment, SWASC would not support the bill.

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

⁴ Timmons, E., Norris, C., & Trudeau, N. (2024). A Snapshot of Occupational Licensing in Maryland. In *West Virginia University*. <https://csorwvu.com/maryland-snapshot/>

⁵ *Maryland HVAC Training*. (2025). HVAC School.

<https://www.hvacschool.org/maryland/#:~:text=The%20demand%20for%20trained%20and,to%20the%20Baltimore%20Business%20Journal.>

⁶ Fiscal and Policy Note: Third Reader - Revised. (2024). In *Maryland General Assembly*. https://mgaleg.maryland.gov/2024RS/fnotes/bil_0005/hb0175.pdf

⁷ *HVAC Technician: Average Salary in Maryland in 2025*. (2025). Talent.

[https://www.talent.com/salary?job=hvac+technician&location=maryland#:~:text=\\$63%2C771,\\$68%2C806](https://www.talent.com/salary?job=hvac+technician&location=maryland#:~:text=$63%2C771,$68%2C806)

⁸ *Resource Guide for Maryland Journalists*. (2018). The Clean Slate Initiative.

<https://www.cleanslateinitiative.org/maryland#:~:text=People%20convicted%20of%20a%20felony,an%20average%20of%2022%20percent.>

HB218_CFUF_ZA_FWA.pdf

Uploaded by: Zachary Alberts

Position: FWA



TESTIMONY IN SUPPORT OF HOUSE BILL 482 w/ Amendments: Occupational Licensing and Certification - Criminal History - Predetermination Review Process

TO: Hon. Pam Beidle, Chair, and Members of the Senate Judicial Proceedings Committee

FROM: Zachary Alberts, Director of Advocacy at the Center for Urban Families

DATE: March 17th, 2025

Chair Beidle and Committee Members,

The Center for Urban Families (CFUF), a West Baltimore workforce and family-strengthening community-based organization, advocates for legislative initiatives that strengthen urban communities by helping fathers and families achieve stability and economic success. We are proud to support HB 482, but with one critical amendment.

On page 3, lines 9 through 16, the bill drafter accidentally included brackets that ***should not be there***. If the bill passes as it is, individuals could now have records that are older than 7 years held against them when applying for licenses, when previously they could not. An amendment was intended to be made before the bill hearing in the House, but seems to have fallen through the cracks.

The intent of the bill is good, but passing in the current form without removing the accidental brackets would cause *more* harm to Marylanders with a record.

Thank you,
Zachary Alberts

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HB0482_INFO_OFJ (2).pdf

Uploaded by: Christopher Dews

Position: UNF



INFORMATIONAL TESTIMONY ON HOUSE BILL 482:

TO: Hon. Pam Beidle, Chair, and members of the Senate Finance Committee

FROM: Christopher Dews, Policy Consultant

DATE: March 19th, 2025

Out of Justice (OFJ) is an organization comprised of individuals directly and indirectly impacted by the criminal legal system. We advocate for reforming policies and practices that adversely affect successful reintegration into society. OFJ requests an amendment to House Bill 482 to reduce barriers to occupational licensing for returning citizens.

In 2019, Out for Justice and the Job Opportunities Task Force supported [House Bill 22: Occupational Licenses or Certificates – Application Determinations – Use of Criminal History](#), which stated that a Department should not deny an occupational license or certificate to an applicant solely based on a previous conviction if:

- The applicant has served their entire sentence, including imprisonment, mandatory supervision, probation, and parole,
- An *additional seven years* have passed since the applicant's release *without* recidivism and
- The crime was a *non-violent* and *non-sex-related* offense.

This bill took years to pass with consistent and aggressive advocacy. Thanks to the sponsorship of then-Delegate Charles Sydnor, it crossed the finish line during the 2019 legislative session.

House Bill 482 accidentally erases this provision from the statute as the bill was initially part of [Senate Bill 54/ House Bill 175](#) of 2024, which sought to reduce the window from seven (7) years to three (3) ([pg 2, lines 25-27 / pg. 3, lines 1-4](#)). There was *no* intention in last year's bills or House Bill 482 to erase this provision and reinstate massive restrictions for licensing access to Marylanders who have completed their sentences, reacclimated into society, and want to support themselves and their families through a trade. With this context, Out for Justice suggests that the committee strike the brackets from page 3, lines 8 and 16, as follows:

[House Bill 482](#): Page 3, Lines 8-16

8 (f) (1) **(I)** This subsection does not apply to a conviction of a crime for

9 which registration on the sex offender registry is required under Title 11, Subtitle 7 of this
10 article.

11 (2) If a period of 7 years or more has passed since an applicant completed



12 serving the sentence for a crime, including all imprisonment, mandatory supervision,
13 probation, and parole, and the applicant has not been charged with another crime other
14 than a minor traffic violation, as defined in § 10–101 of this article, during that time, a
15 department may not deny an occupational license or certificate to the applicant solely on
16 the basis that the applicant was previously convicted of the crime.†

This textual change is mandatory and *aligns with the sponsor's intent* to support employment access for returning citizens. Thank you for your consideration on these matters.

We respectfully urge that you move favorably on this amendment.

HB0482_INFO_OFJ.pdf

Uploaded by: Christopher Dews

Position: UNF



INFORMATIONAL TESTIMONY ON HOUSE BILL 482:

TO: Hon. Pam Beidle, Chair, and members of the Senate Finance Committee

FROM: Christopher Dews, Policy Consultant

DATE: March 19th, 2025

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In 2019, Out for Justice and the Job Opportunities Task Force supported [House Bill 22:Occupational Licenses or Certificates – Application Determinations – Use of Criminal History](#), which stated that a Department should not deny an occupational license or certificate to an applicant solely based on a previous conviction if:

- The applicant has served their entire sentence, including imprisonment, mandatory supervision, probation, and parole,
- Waited an *additional seven years without* recidivism, and
- The crime was a *non-violent* and *non-sex-related* offense.

This bill took years to pass with consistent and aggressive advocacy, but thanks to the sponsorship of then-Delegate Charles Sydnor, it crossed the finish line in the 2019 legislative session.

House Bill 482 accidentally erases this provision from the statute as the bill was initially part of [Senate Bill 54/ House Bill 175](#) of 2024, which sought to reduce the window from seven (7) years to three (3) ([pg 2, lines 25-27 / pg. 3, lines 1-4](#)). With this context, Out for Justice suggests that the committee strike the brackets from page 3, lines 8 and 16, as follows:

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13 probation, and parole, and the applicant has not been charged with another crime other
14 than a minor traffic violation, as defined in § 10–101 of this article, during that time, a
15 department may not deny an occupational license or certificate to the applicant solely on
16 the basis that the applicant was previously convicted of the crime.†

This textual change is mandatory and *aligns with the sponsor's intent* to support employment access for returning citizens. Thank you for your consideration on these matters.

We respectfully urge that you move favorably on this amendment.

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Position: UNF



Board of Physicians

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

2025 SESSION POSITION PAPER

BILL NO.: HB 482 – Occupational Licensing and Certification -
Criminal History - Predetermination Review Process
COMMITTEE: Finance & Education, Energy, and Environment
POSITION: Letter of Opposition

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

POSITION & RATIONALE:

The Maryland Board of Physicians (the Board) is respectfully submitting this letter of opposition to 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, 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 determining 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 Board 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, properly investigating prior criminal history is essential to the Board’s mission of safeguarding the public through the 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 reject 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 issuing a license with conditions. For example, if a physician's criminal history seems to indicate a history of drug or alcohol abuse, the Board 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.

Under the amendment passed by the House, the Board would be required to process predetermination applications using its existing resources. This proposed mandate raises serious concerns about its impact on licensing timelines for physicians and the 13 allied health professions. To accommodate the additional workload, the Board would need to reallocate resources away from its core licensing functions, which could lead to delays in the issuance of licenses. Such delays may further strain an already challenged healthcare workforce, potentially limiting access to care and exacerbating workforce shortages at a time when efficiency and timeliness are critical.

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 rare cases where a license was denied due to a previous 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 protect the public properly. 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:

Michael Tran
Health Policy Analyst
Maryland Board of Physicians
(410) 764-378

Sincerely,



Christine A. Farrelly
Executive Director
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.

HB 482 - FIN - various Bds - LOC.docx.pdf

Uploaded by: State of Maryland (MD)

Position: UNF



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Ryan Moran, DrPH, MHSA, Acting Secretary

**Maryland State Board of Acupuncture
Maryland Health Occupations Boards**

4201 Patterson Avenue
Baltimore, MD 21215

Maryland State Board of Dental Examiners

Spring Grove Hospital Center - Benjamin Rush Bldg.
55 Wade Ave/Tulip Drive
Catonsville, MD 21228

Maryland State Board of Nursing

4140 Patterson Avenue
Baltimore, MD 21215

March 19, 2025

The Honorable Pamela Beidle
Chair, Finance Committee
3 East Senate Miller Office Building
11 Bladen Street
Annapolis, MD 21401-1991

**RE: HB 482 – Occupational Licensing and Certification – Criminal History –
Predetermination Review Process - Letter of Concern**

Dear Chair Beidle and Committee Members:

The State Board of Acupuncture (the “Board”), as well as the following health occupation boards: the State Board of Audiologists, Hearing Aid Dispensers, Speech/Language Pathologists & Music Therapists; the State Board of Dental Examiners; the State Board of Nursing; the State Board of Occupational Therapy Practice; the State Board of Examiners in Optometry; the State Board of Physical Therapy Examiners; the State Board of Podiatric Medical Examiners; and the State Board of Social Work Examiners, (the “Boards”) are submitting this Letter of Concern for HB 482 – Occupational Licensing and Certification – Criminal History – Predetermination Review Process.

While the Boards understand that it is the policy of the State to encourage the employment of nonviolent ex-offenders and remove barriers to their ability to demonstrate fitness for State-issued occupational credentials, HB 482 would limit the ability of the Boards to thoroughly

verify that applicants meet all licensure standards and could potentially place undue burdens on applicants with criminal convictions hindering the bill's purpose from being fully realized.

The requirement for a predetermination process creates multiple unintended obstacles for the issuance of health occupations credentials. The Boards adhere to laws that have established meticulous processes for reviewing, investigating, and determining licensure of applicants with a reported history of criminal activity to ensure the safety and welfare of the general public. Additionally, in accordance with the procedural codes outlined in Criminal Procedures Article §1-209, Annotated Code of Maryland, each report of criminal conviction is reviewed by the Boards based on individual circumstances and outcomes.

Predetermination also presumes that all occupational licensing and certification boards operate in exactly the same way, thus failing to acknowledge nuances in professional expertise and constituency that impact credentialing decisions. In some cases, a board may issue credentials with conditions and/or support (e.g. participation in a rehabilitation program, professional counseling, practice monitoring and/or supervision). A predetermination process fails to encompass such scenarios, and these situations are more common than denying an applicant's ability to be licensed. It is for this reason that the Boards confidently assert that the denial of occupational health credentials is exceedingly rare.

Furthermore, the creation of a predetermination review process for criminal convictions, while well intended, could have a deleterious effect on applicants. In the absence of the full context and circumstances surrounding a conviction, in the interest of public safety, the Boards 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.

Finally, predetermination assumes the capacity of health occupations boards and commissions and their ability to fiscally support the increase in administrative processes. This fact is particularly salient considering that most of the health occupations boards and commissions have minimal staff resources. Applicants are afforded due process with a significant amount of time and staff resources being dedicated to treating them fairly, respectfully, and with the intent of minimizing unnecessary delays. Since a demonstrable history exists of not using a criminal conviction as a barrier to licensure the Boards conclude that HB 482 would not improve the licensing process for applicants nor enhance actions taken to ensure the protection of the public.

Therefore, the Boards would urge the Committee to submit an unfavorable report unless HB 482 is amended to remove the health occupations boards.

For more information, please contact Tiffany L. Smith Williams, Executive Director for the Board of Acupuncture at (410)764-5925 or at tiffany.smith-williams@maryland.gov; or Lillian Reese, Legislative Liaison for the Health Occupations Boards & Commissions, at 443-794-4757 or lillian.reese@maryland.gov.

Respectfully,



Tiffany L. Smith-Williams, MHS CPM
Executive Director
Board of Acupuncture

The opinion of the Boards expressed in this letter of concern do not necessarily reflect that of the Department of Health or the Administration.

Deyo MD Testimony_2025_HB 482 (1).pdf

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Maryland Senate Finance Committee

Written Testimony: Dr. Darwyn Deyo, PhD

Chair Beidle, Vice Chair Hayes, and members of the Senate Finance Committee:

My name is Dr. Darwyn Deyo. I am an associate professor of economics at San José State University and director of regulatory frontiers research, including criminal justice reforms, with the Knee Regulatory Research Center at West Virginia University. My research focuses on the effects of occupational regulation on labor markets. I am writing today about the benefits to Marylanders from criminal records reforms for occupational licensing in HB 482. The main takeaways from my testimony are:

- HB 482 builds on Maryland’s previous criminal records reforms for occupational licensing.
- My research finds that criminal records reforms increased employment and reduced crime.
- HB 482 could reduce systematic inequities for people reintegrating into society by reducing uncertainty for applicants and regulators.

Occupational licensing raises barriers to opportunity and employment

There are significant opportunities for reducing licensing barriers in Maryland, according to the 2022 License to Work report, which I co-authored.¹ Maryland licenses dozens of blue-collar occupations that make it harder for people to work, and collateral consequences exacerbate economic inequities by making people pay twice for the same offense. This creates disproportionately high burdens for people simply trying to start over, especially after they have already paid a fine or were incarcerated. With over 1 in 5 Maryland workers needing a license, the potential impact of reforms is positive and large.

Criminal records reforms open doors and make communities safer

Research has also found that higher licensing barriers are associated with higher recidivism rates, as aspiring workers are locked out of major labor markets.² Conversely, my research finds that criminal records reforms increase employment in licensed occupations and reduce crime, especially property crime.³ When people are able to work in licensed occupations, there are positive spillovers to their families and communities. As employment and income go up, neighborhoods also become safer. In particular, predetermination reviews also make it easier for licensing applicants to focus on occupations for which they are eligible, instead of spending years training for a job from which they are barred.

HB 482 creates opportunities in Maryland by reducing systematic barriers

With HB 482, Maryland has an opportunity to build on its previous reforms with a broad impact. Twenty-one states, including West Virginia, have passed similar reforms, creating opportunities that could attract workers to these states. Maryland could also expand HB 482 to prevent the use of so-called “good moral character” requirements by licensing boards and ban consideration of arrest records that did not lead to a conviction. Nineteen and twenty states have passed these reforms, respectively, although Maryland could be a regional leader. HB 482 has the potential to significantly improve public safety and economic opportunity in Maryland while clarifying the process for aspiring workers and licensing boards.

Darwyn Deyo, PhD

Associate Professor of Economics, San José State University

Director of Regulatory Frontiers, Knee Regulatory Research Center

¹ <https://ij.org/report/license-to-work-3/>

² <https://cseel.asu.edu/research/publications/TurningShacklesintoBootstraps>

³ <https://www.sciencedirect.com/science/article/abs/pii/S0165176524005792>