

**Department of Legislative Services**  
 Maryland General Assembly  
 2025 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 367 (Delegate Martinez, *et al.*)  
 Health and Government Operations

**Health Occupations Boards - English Proficiency Requirements and Licensure  
 by Endorsement for Nursing**

This bill prohibits a health occupations board from requiring an applicant to provide additional evidence of English proficiency if the individual holds a valid, unrestricted license, certification, or registration from another state that requires such evidence for licensure, certification, or registration. Each health occupations board that requires evidence of English proficiency must maintain on its website a list of other states that have an English proficiency requirement that meets the board’s requirement. The bill also alters English proficiency requirements for the State Board of Nursing (MBON) and the State Board of Pharmacy (MBOP) and the conditions of licensure by endorsement for MBON.

**Fiscal Summary**

**State Effect:** Generally, the bill’s changes can be absorbed with existing budgeted resources. Special fund expenditures for the State Board of Physicians (MBP) increase by \$43,300 in FY 2026 to hire staff. Future year expenditures reflect annualization and ongoing costs. Revenues are not affected.

(in dollars)	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	43,300	47,900	50,100	52,400	54,600
Net Effect	(\$43,300)	(\$47,900)	(\$50,100)	(\$52,400)	(\$54,600)

*Note: ( ) = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** None.

**Small Business Effect:** None.

## Analysis

### Bill Summary/Current Law:

#### *Health Occupations Boards – Generally*

Under current law, twenty health occupations boards share responsibility for regulating various health professions in Maryland. Many health occupations professions participate in interstate compacts that offer expedited authorizations to practice in other compact states. With specified exceptions, an individual must be licensed, certified, registered, or permitted by the respective board before the individual may practice in the State, such as the Nurse Licensure Compact (NLC). Licensure, certification, registration, and permit requirements vary by profession but typically require, among other things, specified education and experience, passage of a national and/or State examination, and a criminal history records check (CHRC).

Pursuant to the Health Occupations Article, the following health occupations boards require some form of specified evidence of English proficiency: (1) State Board of Acupuncture; (2) State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists, and Music Therapists; (3) State Board of Dental Examiners (BDE); (4) MBON; (5) MBOP; (6) Board of Physical Therapy Examiners; (7) MBP; (8) State Board of Podiatric Medical Examiners; and (9) State Board of Professional Counselors and Therapists.

#### *Maryland Board of Nursing*

*Registered Nurses and Licensed Practical Nurses:* Under current law, an applicant for a registered nurse (RN) or licensed practical nurse (LPN) license must demonstrate written or oral competency in English. Acceptable proof of proficiency includes (1) after at least three years of enrollment, graduation from a recognized English-speaking undergraduate school; (2) graduation from a recognized English-speaking professional school; or (3) completion of at least five years of practicing nursing in another state or English-speaking territory of the United States. If any disciplinary charge or action that involves a problem with communicating in English is brought against a licensee, MBON must require the licensee to take and pass a board-approved standardized test of English language proficiency.

Under the bill, two additional methods for demonstrating competency in English are added: (1) passing an English proficiency exam approved by the U.S. Department of Health and Human Services; or (2) holding a valid, unencumbered multistate license under the NLC.

The bill also clarifies that MBON may not require an applicant for licensure as an RN or LPN who *is or* was previously licensed in any other state as an RN or LPN to demonstrate

competency in English as a part of its examination or licensing procedures if the other state has *an* English language competency component (rather than a *similar* English language competency component) as part of its examination or licensing procedures.

*Licensure by Endorsement:* Under current law, MBON may issue a license by endorsement and waive any appropriate examination requirement for an applicant who has an active unencumbered RN or LPN license in any other state or country if the applicant:

- submits to the board an application on the form the board requires;
- submits to a CHRC;
- pays the application fee set by the board; and
- provides adequate evidence that they (1) met Maryland's educational requirements at the time they graduated from a nursing education program; (2) passed an examination at the time they were licensed that is similar to the Maryland examination; and (3) meet the qualifications otherwise required.

The bill clarifies that an applicant may *hold a valid, unencumbered multistate license under the NLC* as an alternative to providing the evidence specified above in order to qualify for licensure by endorsement.

#### *State Board of Pharmacy*

Under current law, an applicant for a pharmacist license must demonstrate oral competency in English by passing a board-approved standardized test of oral competency. If a disciplinary charge or action that relates to a problem with the oral communication of English is brought against a licensee, MBOP must require the licensee to pass a board-approved standardized test of oral competency.

The bill clarifies that MBOP may not require an applicant for a pharmacist license who *is or was* previously licensed in another state as a pharmacist, to demonstrate oral competency in English, if the other state's examination and licensing procedures at the time the applicant was licensed include an oral competency component. The bill repeals the requirement that the other state's oral competency component be similar to that in Maryland.

**State Fiscal Effect:** The bill prohibits a health occupations board from requiring an applicant who holds a valid, unrestricted license, certification, or registration from another state that requires evidence of English proficiency to provide additional evidence of such proficiency as a condition for licensure, certification, or registration. Additionally, each health occupations board that requires proof of English proficiency must maintain on its website a list of other states that have an English proficiency requirement that meets the board's requirement.

MBOP, MBON, and BDE advised that the bill’s requirements can be implemented with existing budgeted resources. Accordingly, this analysis assumes that most of the nine affected health occupations board can implement the bill’s requirements with existing budgeted resources. To the extent a health occupations board cannot implement the bill’s requirements using existing budgeted resources, special fund expenditures for individual health occupations boards increase accordingly beginning in fiscal 2026.

MBP advises that additional staff are required to maintain a list of other states that have an English proficiency requirement that meets MBP’s requirements for all 15 of MBP’s licensure categories (which include allied health professionals). Therefore, MBP special fund expenditures increase by \$43,332 in fiscal 2026, which accounts for the bill’s October 1, 2025 effective date. This estimate reflects the cost of hiring one part-time licensure analyst to maintain English proficiency equivalent information on the board’s website for 15 different professions overseen by the board across each state and U.S. territory. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	0.5
Salary and Fringe Benefits	\$36,377
Operating Expenses	<u>6,955</u>
<b>Total MBP FY 2026 State Expenditures</b>	<b>\$43,332</b>

Future year expenditures reflect a full salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

### Additional Information

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** SB 72 (Senator Lam) - Finance.

**Information Source(s):** Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - January 24, 2025  
js/jc

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