



# MLDS CENTER

Maryland Longitudinal Data System

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## House Bill 320

### Maryland Longitudinal Data System - Transfer of Student Data - Modifications

#### Testimony for the House Education, Health and Environmental Affairs Committee

March 18, 2021

Current law, as enacted by the *Career Preparation Expansion Act of 2018*, requires the Maryland Higher Education Commission (MHEC) to collect and provide to the Maryland Longitudinal Data System (MLDS) Center the following information:

- Professional and occupational licenses from Department of Labor and Department of Health;
- Vocational certificates from Maryland Community Colleges; and
- Industry certifications from a national certifier that receives state funds.

The Center, in collaboration with MHEC, began working to implement the above requirement. It was mutually decided that the Center would directly collect the data under MHEC's authority. Both parties felt that the direct approach was more efficient and limited the risk and exposure created by having to transfer data multiple times.

However, several concerns were raised by the Assistant Attorney General for the Department of Health (MDH). First, MDH noted that there was no explicit requirement to provide personally identifiable information (PII). Without a direct legal requirement, MDH stated that they could not provide PII data. Secondly, MDH was concerned about providing their data directly to the Center, since the statute required MHEC to collect the data. Third, the law assigns to the Secretary the duty to provide the data, even though the Secretary does not have authority or control over the data collected by the 22 independent Health Occupation Boards. Finally, MDH noted that there was a lack of representation on the Governing Board.

To address those concerns, HB 320 changes current law as follows:

- Authorizes the MLDS Center to directly collect the above information and removes the requirement from MHEC;
- Specifies that the data must include personally identifiable information, which had not been explicitly stated and was a concern for MDH;
- Clarifying that it is the duty of a licensing authority, such as a Health Occupation Board, to provide data to the MLDS,
- Adding a representative of the executive directors of the Health Occupations Boards to the MLDS Governing Board, which addressed MDH's concern about the lack of representation on the MLDS Governing Board; and
- Classifying the above data as "student data," which had not been done in the prior bill, but was necessary to fit in the structure of the MLDS statute.

The proposed changes were discussed and reviewed with AAGs from MHEC, Labor, Health and MLDS and all are in agreement that the changes fully address the concerns raised by MDH and will allow the MLDS Center to begin collecting and using the data.

Respectfully submitted by: Ross Goldstein, Executive Director