

2d - EHEA - SB 938 - BON - LOS.pdf

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Board of Nursing

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

March 16, 2021

The Honorable Paul G. Pinsky
Chair, Education, Health, and Environmental Affairs Committee
2 West Miller Office Building
Annapolis, MD 21401-1991

RE: SB 938 – Health Occupations – Service Members, Veterans, and Military Spouses – Temporary Licensure, Certification, and Registration – Letter of Support

Dear Chair Pinsky and Committee Members:

The Maryland Board of Nursing (“the Board”) respectfully submits this letter of support for Senate Bill (SB) 938 – Health Occupations – Service Members, Veterans, and Military Spouses – Temporary Licensure, Certification, and Registration. This bill requires health occupations boards to issue a temporary expedited license, certificate, or registration to a service member, veteran, or military spouse who meets certain requirements. Applicants of expedited temporary licensure, certification, or registration are required to submit an application providing certain information. Additionally, this bill authorizes health occupations boards to apply to the Secretary of Health for approval of an alternative process for licensure, certification, or registration.

The Veterans Full Employment Act of 2013 requires the Board to expedite the licensure, certification, or registration process for applicants. Additionally, when requirements have been met the Board may issue a license, certificate, or registration for a certain period of time. The Board currently issues temporary licenses for a period of 90 days. This license can be extended, under certain circumstances, for an additional 90 days. The Board believes that SB 938 acts to supplement the Veterans Full Employment Act. The most notable changes for the Board being that it must now issue an expedited temporary license for a period of 6 months. Additionally, the Board may apply to the Secretary to approve an alternative process for issuing expedited temporary licenses, certificates, or registrations. This may allow the Board more flexibility with issuing licenses, certificates, or registrations.

For the reasons discussed above, the Board of Nursing respectfully submits this letter of support for SB 938.

I hope this information is useful. For more information, please contact Iman Farid, Health Policy Analyst, at (410) 585 – 1536 (iman.farid@maryland.gov) or Rhonda Scott, Deputy Director, at (410) 585 – 1953 (rhonda.scott2@maryland.gov).

Sincerely,

4140 Patterson Avenue
Baltimore, MD 21215-2254
Toll free: (888) – 202 – 9861; Local: (410) – 585 - 1900



Gary N. Hicks
Board President

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

2b - EHEA - SB 938 - Morticians - SWA.pdf

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Position: FWA



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

**Maryland Board of Morticians and
Funeral Directors**
4201 Patterson Avenue
Baltimore, MD 21215
Phone: 410-764-4792

March 16, 2021

The Honorable Paul G. Pinsky
Chair, Education, Health and Environmental Affairs Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

**RE: SB 938 – Health Occupations – Service Members, Veterans, and Military Spouses –
Temporary, License, Certification, and Registration - Letter of Support with Amendments**

Dear Chair Pinsky,

The Maryland Board of Morticians and Funeral Directors (the “Board”) submits this letter of support, with the amendments proposed below, for SB 938 - Health Occupations - Service Members, Veterans, and Military Spouses - Temporary Licensure, Certification, and Registration.

The bill proposes an expedited form of temporary licensure in the fields licensed under Maryland’s Health Occupations Article, to be available for military service members, veterans, and military spouses. This temporary license would be available to an applicant with an active, unencumbered license, certificate, or registration in another State. The Board supports this bill in its efforts to provide military families, relocating to Maryland, with the opportunity to serve our State through their licensed health occupations. However, the Board proposes the following three amendments to SB 938 (which have already been accepted by the House bill sponsor, Delegate Crosby):

(1) As referenced on page 3, lines 9-25, the Board requests a clear definition of the proof required of an applicant’s military, veteran, or military spouse status.

The bill requires that the application for temporary licensure include, "in the form or manner required by the Health Occupations Board," proof of the applicant's status as a military service member, veteran, or spouse; proof of licensure in another state; and proof that the military service member, veteran or spouse has been assigned to duty in Maryland or resides in Maryland.

The Board requests that the bill be amended to clarify which form of proof would be required, rather than leaving this to the individual licensing boards. This would guide the Board, provide uniformity for applicants, and reduce the burden on the Board to establish its own requirements for documentation.

(2) On page 3, line 28, the Board requests that a completed criminal history records check be required for temporary licensure.

The bill requires the applicant for temporary licensure to have an “application” for a criminal history records check pending at the time of temporary licensure, if the health occupations board issuing the temporary license requires a record check for licensure.

The Board does require that an applicant submit to a criminal history records check in order to issue a license, registration, or permit pursuant to Md. Code Ann., Health Occ. § 7-301.1. The Board may not issue a license, registration, or permit until the applicant’s criminal history information is received.

Under the bill as written, the Board would not have authority to review an applicant's criminal history prior to issuing the expedited, temporary license. A situation may arise in which the Board receives the complete criminal history of an applicant only after a temporary license has been issued. As a result, the Board would be unable to revoke or otherwise review that license in response to the criminal conviction without going through a necessarily lengthy complaint process. The Board suggests an amendment to the bill requiring a *completed* criminal history records check for temporary licensure as opposed to the requirement of just applying for it.

The Board understands that waiting for a completed record check would delay the issuance of a temporary license, and may even defeat the purpose of expediting this licensure. However, the review of an applicant’s criminal history is a crucial component of the Board’s duty to protect the Maryland public by regulating the death care professions. The Board respectfully suggests that other avenues of expediting a criminal history records check be explored without eliminating the requirement prior to licensure.

(3) The Board requests that permits be included alongside licenses, certificates, and registrations. See page 2, line 30 and page 3, line 1.

This bill refers only to a "license, certificate, or registration" issued by the Board and thereby excludes mortuary transporters and crematory operators, both of whom are issued permits (as opposed to licenses) by the Board pursuant to Md. Code Ann., Health Occ. §§ 7-205(c)(1)(i) and 7-602 . The Board feels that these professionals provide critical services to the public and should be included in any statutory changes. The Board proposes that SB 938 be amended to add "permits" to this list, and as applicable throughout.

Thank you for consideration of this testimony. The Board of Morticians and Funeral Directors respectfully requesting a favorable report with amendments on SB 938. If you have any additional questions, please contact the Board’s Executive Director, Christy Collins, at Christy.Collins@maryland.gov or call 410-764-4792.

Sincerely,
Mark Bailey

Mark Bailey, Ed.D
Board Chair, MD Board Morticians and Funeral Directors

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

20210312_MCFP_AM_Support_SB938_Enhanced_Spouse_Lic

Uploaded by: Arnold, Christopher

Position: FWA



MANPOWER AND
RESERVE AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

1500 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1500

March 16, 2021

Senator Paul G. Pinsky
Chair, Education, Health and Environmental Affairs Committee

Remarks of
Christopher R. Arnold
Northeast Region Liaison
United States Department of Defense-State Liaison Office

Support of: SB938 - Health Occupations – Service Members, Veterans, and Military Spouses – Temporary Licensure, Certification, and Registration

Testimony

Chairman and honorable committee members, the Department of Defense is grateful for the opportunity to offer its strongest possible endorsement of the policies set forth in Senate Bill 938, an act regarding a requirement for health occupations boards to issue a temporary expedited license, certificate, or registration to a service member, veteran, or military spouse who meet certain requirements.

My name is Christopher Arnold. I am the northeast region liaison at the DoD-State Liaison Office, operating under the direction of Under Secretary of Defense for Personnel and Readiness. We represent the Department and establish relationships with state leaders across the country who are concerned for troops and their families' welfare by harmonizing state and federal law and regulation on policy problems of national significance. These are identified by the Office of the Secretary of Defense, the Military Departments, and the National Guard Bureau as areas where states can play a crucial role.

This legislation echoes the historic 2020 military spouse legislation from Senate President Bill Ferguson that eased application requirements for a service member, veteran, or military spouse who applies for an occupational or professional license. The President's bill, Chap 177, enacted revisions to reciprocity requirements for occupations and professions regulated by the Division of Occupational and Professional Licensing, removing the requirement for a substantial equivalency determination. This bill makes identical changes for occupations and professions governed by the Health Professional Licensing Boards.

In a letter to Governor Hogan accompanying the Secretary of Defense's 2019 report on military spouse licensure, the Department noted that "*Current law requires boards to evaluate the substantial equivalency of the applicant's application prior to issuing the temporary license, which likely requires the verifying documentation for the review. Limiting this requirement to issuance of the permanent license, or stipulating that the boards perform their initial due diligence using an application, and an affidavit, would limit the time and effort required of the*

military spouse applicant.”¹ While Chapter 177 addressed such recommendation, it did not apply to the health occupations.

The Secretaries of the Military Departments have made the importance of military spouse licensure explicitly clear as they consider the availability of license reciprocity when evaluating future basing or mission alternatives. This consideration was codified by Congress as a requirement in the 2020 National Defense Authorization Act.² Notably, NDAA §2883(h)

¹ Department of Defense. *Military Spouse Licensure: State Best Practices and Strategies for Achieving Reciprocity*. November 2019. <https://download.militaryonesource.mil/12038/MOS/Reports/military-spouse-licensure-report-2019.pdf>

² **2883. Consideration of certain military family readiness issues in making basing decisions associated with certain military units and major headquarters**

(a) Taking into consideration military family readiness issues

In determining whether to proceed with any basing decision associated with a covered military unit or major headquarters in the United States after the date of the enactment of this Act, the Secretary of the military department concerned shall take into account, among such other factors as that Secretary considers appropriate, the military family readiness considerations specified in this section, including those military family readiness considerations specified pursuant to subsection (e).

(b) Interstate portability of licensure and certification credentials

With regard to the State in which an installation subject to a basing decision covered by subsection (a) is or will be located, the Secretary of the military department concerned shall take into account the extent to which the State—

(1) has entered into reciprocity agreements to recognize and accept professional and occupational licensure and certification credentials granted by or in other States; or

(2) allows for the transfer of such licenses and certifications granted by or in other States.

(c) Housing

With regard to the military housing area in which an installation subject to a basing decision covered by subsection (a) is or will be located, the Secretary of the military department concerned shall take into account the extent to which housing (including military family housing) that meets Department of Defense requirements is available and accessible to members of the Armed Forces through the private sector in such military housing area.

(d) Health care

With regard to the community in which an installation subject to a basing decision covered by subsection (a) is or will be located, the Secretary of the military department concerned shall take into account the extent to which primary healthcare and specialty healthcare is available and accessible to dependents, including dependents with disabilities, of members of the Armed Forces through the private sector in such local community.

(e) Other specified considerations

The Secretary of the military department concerned shall take into account such other considerations in connection with military family readiness as the Secretary of Defense shall specify for purposes of compliance with this section.

(f) Savings clause

Nothing in this section shall be construed as requiring the Secretary of a military department to make a basing decision covered by subsection (a) that the Secretary determines would diminish military readiness or impede military mission for the purpose of military family readiness.

(g) Analytical framework

The Secretary of the military department concerned shall take into account the considerations specified in this section, among such other factors as the Secretary considers appropriate, in determining whether to proceed with a basing decision covered by subsection (a) using an analytical framework developed by that Secretary that uses criteria based on—

(1) quantitative data available within the Department of Defense; and

(2) such reliable quantitative data from sources outside the Department as the Secretary considers appropriate.

requires the Department and each of the military services to produce annual basing decision scorecards at the state and installation level considering military family readiness issues, including interstate portability of licensure credentials.³

The secretaries must further consider “*whether the State in which an installation subject to a basing decision is or will be located ... has entered into reciprocity agreements to recognize and accept professional and occupational licensure and certification credentials granted by or in other States or allows for the transfer of such licenses and certifications granted by or in other States.*”⁴

A 2015 report by the Maryland Military Department found the largest 15 installations in the Old Line State support 410,219 jobs and generated \$20.5 billion in defense spending, or, roughly 5.7% of State GDP.⁵

Occupational licensure has been an enduring problem for military spouses. Obtaining a license in a new State can be both time consuming and expensive, and military spouses often cannot adequately anticipate how to prepare for licensure in a new State due to the unpredictable nature of military moves. The short duration of military assignments, coupled with lengthy relicensing

(h) Basing decision scorecard

(1) Scorecard required

The Secretary of the military department concerned shall establish a scorecard for military installations under the jurisdiction of such Secretary, and for States and localities in which such installations are or may be located, to facilitate taking into account the considerations specified in this section whenever that Secretary makes a basing decision covered by subsection (a).

(2) Update

The Secretary of the military department concerned shall update the scorecard established by that Secretary under this subsection not less frequently than once each year in order to keep the information in such scorecard as current as is practicable.

(3) Availability to public

A current version of each scorecard established under this subsection shall be available to the public through an Internet website of the military department concerned that is accessible to the public.

(i) Briefings

Not later than April 1 of each of 2021, 2022, and 2023, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on actions taken pursuant to this section, including a description and assessment of the effect of the taking into account of the considerations specified in this section on particular basing decisions in the United States during the one-year period ending on the date of the briefing.

(j) Definitions

In this section:

- (1) The term covered military unit means a unit of the Armed Forces whose initial assignment to a military installation or relocation from a military installation to a different military installation requires the preparation of an environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).
- (2) The term major headquarters means the headquarters of a unit of the Armed Forces or command that is the appropriate command of a general officer or flag officer.

³ Id. (h)

⁴ Id. (b)

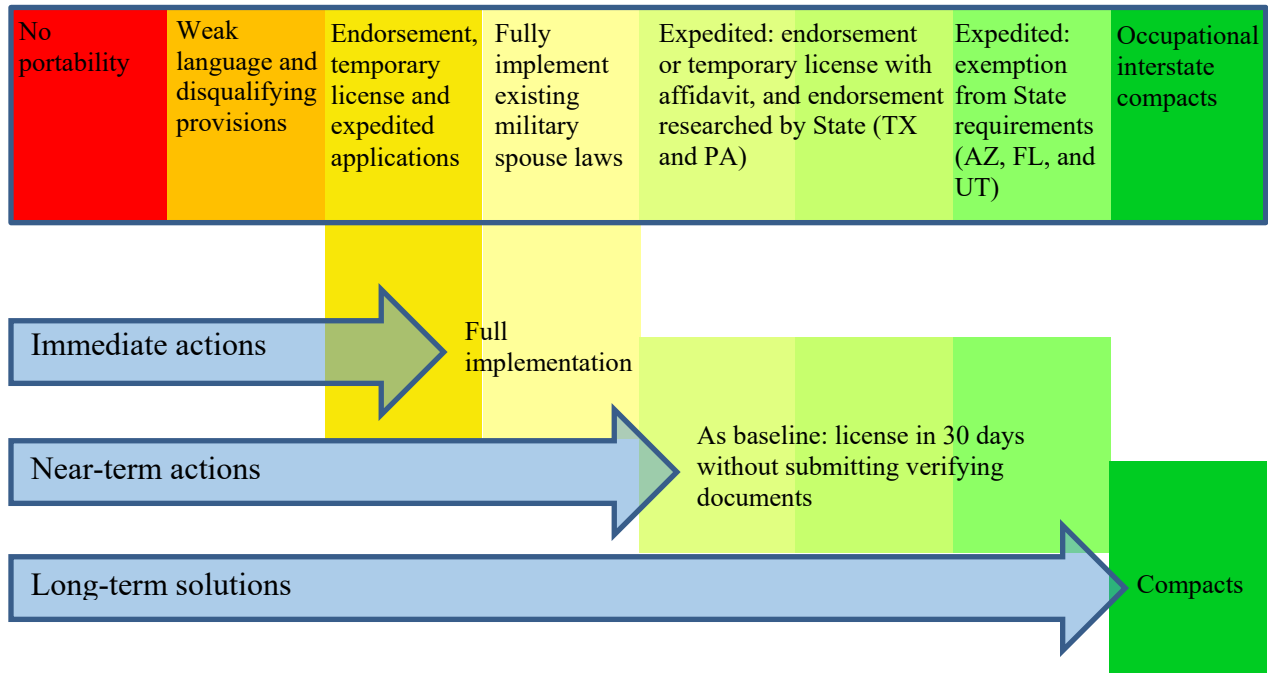
⁵ Department of Defense. *Military Spouse Licensure: State Best Practices and Strategies for Achieving Reciprocity*. November 2019. Retrieved from <https://download.militaryonesource.mil/12038/MOS/Reports/military-spouse-licensure-report-2019.pdf>

processes, can discourage military spouses from seeking relicensure, causing them to quit an occupation or causing military families to leave the military.

In 2013, Maryland passed Chap 154 and 155 regarding Service member licensure and credit for military training and education as well as expediting military spouse license applications. In 2019, Maryland passed Chap 312 requiring the expedited license to be issued within 60 days and posting of that timeline on agency websites. SB938 will extend the provisions of such laws to the health occupations, which were not encompassed in those prior acts.

Further changes to licensure to facilitate reciprocity in State licensure programs for military spouses will continue to take time to cover all occupations in all States. Complicating matters further, the term “reciprocity” is used differently among the States. The continuum of reciprocity related programs is represented graphically below. The continuum goes from red, representing little to no portability, to dark green, representing the DoD’s optimum state of full reciprocity.

Understanding that military spouses need assistance now, and that many States have already committed to a variety of approaches, the Department advocates that States should pursue multiple approaches to reciprocity simultaneously. Available alternatives can be categorized as being more immediately attainable, achievable within the near-term, or obtainable in the long-term:



The Department encourages States to engage in immediate actions to fully implement military spouse licensure laws, near-term actions to at least attain a baseline of getting military spouses a license in 30 days based on minimal documentation, and removing substantially equivalent language; and long-term solutions for reciprocity through compacts. How fast these actions and solutions can be approved and implemented is up to the States. SB938 will ensure this baseline for the health occupations.

To effectively evaluate whether an applicant's license is 'substantially equivalent' a board generally evaluates the coursework, test scores, and applicable practicum hours of the applicant, along with previously held licenses and work experience. This perpetuates the delays experienced by military spouses.⁶ SB938 would eliminate the requirement for agencies to determine whether the requirements for licensure in the other state are substantially equivalent to those in Maryland for the 29 licensing boards and commissions overseen by the Department of Health and Mental Hygiene. This will expedite the licensure process.

In closing, we are grateful for the tremendous efforts that Maryland has historically made to support our military members and their families. We appreciate the opportunity to support the policy reflected in SB938 and are especially grateful to the Senator Peters for introducing this important piece of legislation. As always, as Northeast Region Liaison, I stand ready to answer whatever questions you may have.

Yours etc.,

CHRISTOPHER R. ARNOLD
Northeast Region Liaison
Defense-State Liaison Office

⁶ National Conference of State Legislatures, National Governors Association, and the Council of State Governments. Occupational Licensing Final Report, Assessing State Policies and Practices. December 2020. Retrieved from https://www.ncsl.org/Portals/1/Documents/Labor/NCSL_DOL_Report_05_web_REVISED.pdf

2021 MNA SB 923 Senate Side.pdf

Uploaded by: Elliott, Robyn

Position: FWA



Committee: Senate Finance Committee
Bill Number: Senate Bill 923
Title: Maryland Medical Assistance Program – Eligibility and Disenrollment
Hearing Date: March 10, 2021
Position: Support

The Maryland Nurses Association (MNA) strongly supports *Senate Bill 923- Maryland Medical Assistance Program -- Eligibility and Disenrollment*. The bill extends Medicaid postpartum coverage from up to 60 days to 1 year after pregnancy. This bill stems from the *Report of the Senate President’s Advisory Workgroup on Equity and Inclusion’s* recommendation to extend Medicaid coverage for pregnant women until 12 months postpartum and provide care coordination and health literacy education for individuals as they transition from Medicaid coverage.ⁱ

MNA strongly supports initiatives that promote healthcare coverage, which in turn creates a healthier population. Promoting healthcare coverage is particularly important for women and babies after birth. As nurses, we strive to provide the highest care, and this bill will allow coverage for mothers and babies for a year after birth, a critical time period to better health outcomes.

MNA strongly supports this bill for the following reasons:

- **Extending Medicaid postpartum coverage can improve maternal health outcomes:** An increasing number of maternal deaths – which are defined as deaths during pregnancy and up to 365 days after – are occurring in the postpartum period. Data from the Centers for Disease Control and Prevention confirm that roughly one-third of all pregnancy related deaths occur one week to one year after a pregnancy ends- with 12% of maternal mortality incidents occurring 43 to 365 days after pregnancy.ⁱⁱ Extending Medicaid coverage for pregnant women to 12 months postpartum will allow women access care and address health concerns in the critical 12 months after the birth of a baby, including care for diabetes or high blood pressure, treatment for a substance use disorder, or behavioral or other mental health services.ⁱⁱⁱ Extending access to care for at

least a year beyond pregnancy can greatly improve maternal health outcomes. In Medicaid expansion states, maternal mortality dropped by 1.6 deaths per 100,000 women.^{iv}

- **Extending Medicaid postpartum coverage can address racial disparities in maternal mortality:** The stark racial disparities in maternal mortality are concerning: Black women are three to four times more likely to die from a pregnancy-related complication than non-Hispanic white women.^v In Maryland, the maternal mortality rate for Black women is 3.7 times that of White women and the racial disparity has widened in recent years.^{vi} Several studies suggest that Medicaid expansion has narrowed disparities for Black and Hispanic people in certain measures of maternal and infant health, including health coverage, maternal mortality, infant mortality, low birthweight and preterm birth.^{vii}

Thank you for your consideration of our testimony, and we urge a favorable vote. If we can provide any further information, please contact Suhani Chitalia at schitalia@policypartners.net or (240) 506-9325.

ⁱ Report of the Senate President's Advisory Workgroup on Equity and Inclusion (2021), <http://www.mgaleg.maryland.gov/pubs-current/SenatePresidentAdvisoryWorkgrouponEquityandInclusion.pdf>

ⁱⁱ CDC, *Vital Signs: Pregnancy-Related Deaths, United States, 2011-2015 and Strategies for Prevention, 13 States, 2013-2017* (2019), <https://www.cdc.gov/mmwr/volumes/68/wr/mm6818e1.htm>

ⁱⁱⁱ Report of the Senate President's Advisory Workgroup on Equity and Inclusion (2021), <http://www.mgaleg.maryland.gov/pubs-current/SenatePresidentAdvisoryWorkgrouponEquityandInclusion.pdf>

^{iv} The Commonwealth Fund, *Increasing Postpartum Medicaid Coverage Could Reduce Maternal Deaths and Improve Outcomes*, <https://www.commonwealthfund.org/blog/2019/increasing-postpartum-medicaid-coverage>

^v CDC Newsroom: *Black, American Indian/ Alaska Native Women Most Affected*, <https://www.cdc.gov/media/releases/2019/p0905-racial-ethnic-disparities-pregnancy-deaths.html>

^{vi} Report of the Senate President's Advisory Workgroup on Equity and Inclusion (2021), <http://www.mgaleg.maryland.gov/pubs-current/SenatePresidentAdvisoryWorkgrouponEquityandInclusion.pdf>

^{vii} Kaiser Family Foundation, *Medicaid Initiatives to Improve Maternal and Infant Health and Address Disparities* (2020), <https://www.kff.org/racial-equity-and-health-policy/issue-brief/medicaid-initiatives-improve-maternal-infant-health-address-racial-disparities/view/footnotes/#footnote-494791-3>

2021 MOTA SB 938 Senate Side.pdf

Uploaded by: Faulkner, Rachael

Position: FWA



Maryland Occupational Therapy Association

PO Box 36401, Towson, Maryland 21286 ♦ motamembers.org

Committee: Senate Education, Health, and Environmental Affair
Bill: SB 938 - Health Occupations – Service Members, Veterans, and Military Spouses
Temporary Licensure, Certification, and Registration
Hearing Date: March 16, 2021
Position: Support with Amendment

The Maryland Occupational Therapy Association (MOTA) supports *Senate Bill 938 – Health Occupations – Service Members, Veterans, and Military Spouses Temporary Licensure, Certification, and Registration* with an amendment. We support a more streamlined licensure processes to ease the transition of military members, military spouses, and veterans. We hope that *SB 139 – Interstate Occupational Therapy Compact* helps address the issue, although we recognize not every military member, military spouse, or veteran will be from a compact state. SB 938 would close the gap through temporary licensure for those individuals from states that are not in the compact but have substantially equivalent licensure requirements.

We are concerned about the provision requiring Boards to issue temporary licensees for applicants from states without substantially equivalent requirements. Licensure standards protect patient safety by ensuring health care practitioners are competent and safe to practice. The bill would require a board to waive those requirements – potentially for an extended period of time while the individual takes coursework or even obtains a higher degree. In the meantime, practitioners would be treating Maryland patients without meeting Maryland standards. This arrangement is not fair to the Maryland patients or the practitioners – who may be compromising their future by practicing beyond their competency level. While the bill does allow a board to deny a license based on public safety concerns, we find this language impractical. A board does not have the independent means of determining if someone is competent. They must rely on ensuring the applicant has met the requirements for education and clinical experience.

Based on these concerns, we request the following amendment:

On page 4, strike in entirety lines 19 down through line 2 on page 5.

We ask for a favorable report with the amendment. If we can provide further assistance, please contact Rachael Faulkner at rfaulkner@policypartners.net or (410) 693-4000.

2c - EHEA - SB 938 - Dental Board - LOC.pdf

Uploaded by: Ye, webster

Position: UNF



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

Maryland State Board of Dental Examiners
Spring Grove Hospital Center
Benjamin Rush Building
55 Wade Avenue/Tulip Drive
Catonsville, Maryland 21228

March 16, 2021

The Honorable Paul G. Pinsky
Chair, Education, Health, and Environmental Affairs Committee
2 West, Miller Senate Office Building
Annapolis, Maryland 21401

**Re: SB 938 – Health Occupations-Service Members, Veterans, and Military Spouses –
Temporary Licensure, Certification, and Registration-Letter of Concern**

Dear Chair Pinsky and Committee Members:

The Maryland State Board of Dental Examiners is submitting this letter of concern for SB 938-Health Occupations-Service Members, Veterans, and Military Spouses-Temporary Licensure, Certification, and Registration. The bill allows all health occupations Boards, including the Dental Board, to issue a 6-month temporary license, certificate, or registration to a service member, veteran, or military spouse who is licensed in another state and who is applying for licensure in Maryland, if the applicant applies for full licensure in Maryland, and the requirements for licensure in the state in which they are licensed are “substantially equivalent to or exceed the requirements” in Maryland. In addition, the bill allows a health occupations Board to issue a temporary license to an applicant licensed in another state for a period of time determined by the Board, if the requirements for licensure in the other state are not substantially equivalent to the requirements in Maryland, while the service member, veteran, or military spouse completes the requirements for licensure in Maryland.

Under the present law, the Board expedites the applications for licensure for all service members, veterans, and military spouses. In addition, each has an advisor to assist the applicant with the application process. If the applicant does not meet the requirements for licensure the advisor assists the service member, veteran, or military spouse in identifying programs that offer the appropriate education or experience. The Board takes all reasonable steps to help service men and women and their spouses. However, the Board has concerns with the bill. The Board does not believe that there are “substantial equivalent” examination requirements in other states for either dentists or dental hygienists. In Maryland, a graduate of an accredited dental school may receive a license if he or she has, among other requirements, passed the American Dental Licensing examination or the American Dental Hygiene Examination, both administered by the

American Board of Dental Examiners, Inc. (“ADEX”). Those examinations are considered the “Gold Standard” of examinations. Although other states’ examination requirements may be facially similar, they are not “substantially equivalent.” In addition, determining that an examination or licensing requirement of another state is not ‘substantially equivalent’ is a subjective determination that may subject the Board to lengthy litigation. The Board notes that the ADEX examinations are offered and accepted in 48 states and are taken by the great majority of dentists and dental hygienists seeking licensure, regardless of where they initially consider licensure. (New York does not require an examination for dental licensure, and Delaware requires the passage of its own examination). If a candidate passed the ADEX examination in another state, the passing score may be used for licensure in Maryland. Therefore, there should be no obstacles for those seeking dental or dental hygiene licensure in the State.

In addition, the bill allows the Dental Board to issue a temporary license to an applicant who is licensed in another state for an unspecified period where the requirements for licensure in the state in which the applicant holds a license are not “substantially equivalent” to the requirements in Maryland, if the applicant is completing the requirements for licensure in Maryland, and no risk is posed to the public’s health, safety, or welfare. The Board’s concern is that the requirements for licensure in another state will most likely not be sufficient for consideration for a temporary license. Just as important is the fact that the applicant may not attempt in earnest to complete the requirements for licensure and may continue to request continuances for the temporary license, or simply practice without a license. Again, the Dental Board could find itself embroiled in lengthy litigation for terminating the temporary license or not providing one in the first instance, especially if the Board has granted a temporary license to other applicants.

For these reasons, the Dental Board requests that SB 938 receive an unfavorable report.

I hope that this information is helpful. If you would like to discuss this further, please contact me at 301-367-2352, jgoldsm217@comcast.net, or Dr. Arpana Verma, the Board’s Legislative Committee Chair at 240-498-8159, asverma93@gmail.com. In addition, the Board’s Executive Director, Mr. Frank McLaughlin may be reached at 443-878-5253, frank.mclaughlin@maryland.gov.

The opinion of the Maryland State Board of Dental Examiners expressed in this letter of concern does not necessarily reflect that of the Department of Health or the administration.

Sincerely,

James P. Goldsmith, D.M.D.

James P. Goldsmith, D.M.D.
Board President

2a - EHEA - SB 938 - BOP - LOI.pdf

Uploaded by: Bennardi, Maryland Department of Health /Office of Governmen

Position: INFO



Board of Physicians

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Damean W.E. Freas, D.O., Chair

2021 SESSION POSITION PAPER

BILL NO.: SB 938
COMMITTEE: Senate Education, Health, and Environmental Affairs
POSITION: Information

TITLE: Health Occupations – Service Members, Veterans, and Military Spouses – Temporary Licensure, Certification, and Registration

BILL ANALYSIS: SB 938 requires certain health occupations boards, including the Maryland Board of Physicians (the “Board”), to issue an expedited temporary license to a service member, veteran, or military spouse who meets certain requirements. The bill also permits a health occupations board to apply to the Secretary of Health for approval of an alternate process for licensure that does not meet certain requirements.

POSITION & RATIONALE: It is the Board’s position that no changes are needed to §1-701 through §1-706 of the Health Occupations Article to expedite the processing of applications submitted by service members, veterans, and military spouses. The Board has implemented legislation passed in 2013, and the process is working well to expedite licensure for service members, veterans, and military spouses. In addition, for physician applicants with licenses in other states, the Board offers alternate pathways to licensure either through reciprocity or through the Interstate Medical Licensure Compact.

The Board does not issue temporary licenses for any practitioners regulated by the Board. The expedited temporary license described in the bill essentially creates a new licensure category that would require, at least, a part-time licensure analyst, changes to the Board’s licensure process, updates to its information technology system, and development of a new application for an expedited temporary license. The Board also would need to promulgate regulations.

In addition, the Board wishes to bring to the committee’s attention the following:

- On Page 3, in lines 26-29, there is language about “proof of application” for a criminal history records check (“CHRC”). This language conflicts with the Board’s statute, which requires that licensure applicants complete a CHRC.
- On Page 4, in lines 3-7, there is a provision about licensure requirements in other states. It appears this would require Board staff to research licensure qualifications of other states to determine if those requirements are “substantially equivalent to” or “exceed” Maryland’s requirements. Such research would add steps to the process, which will have the adverse effect of extending the licensure timeline.

- The bill does not address expiration or renewal of the temporary license. The lack of such language creates a potential burden for the Board to investigate whether an individual is practicing the health occupation without a license, if the temporary license is not active and full licensure remains pending.

There are no issues with the Board's current process, rendering SB 938 unnecessary. The Board requests that the committee vote SB 938 as unfavorable.

For more information, please contact Wynnee Hawk, Manager, Policy and Legislation, Maryland Board of Physicians, 410-764-3786.

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