

## Expanding Access to Professional Licenses in Maryland: Issue Brief February 2023

Maryland does not currently have a state policy that actively allows individuals with no lawful immigration status to apply for occupational and professional licenses. There are currently [237,845 undocumented individuals](#) living in Maryland, including [9,730 undocumented students](#) enrolled in higher education. Many of these students are pursuing careers in the healthcare field, early childhood education, and other professions that require professional licensure. In order to be able to practice in the healthcare and other fields in Maryland, they must obtain a license from state agencies.

The state of Maryland currently requires all individuals who are applying for occupational licenses to provide a social security number (SSN). Due to their lack of immigration status, undocumented individuals may not be able to obtain a SSN. However, they may obtain an Individual Taxpayer Identification Number (ITIN), which they may use as independent contractors or to start their own business. [House Bill \(H.B.\) 136](#), introduced on January 13, 2023, would expand access to professional licenses for undocumented individuals by allowing them to provide either a SSN or an ITIN in their applications. In addition, [Senate Bill \(S.B.\) 523](#), introduced on January 28, 2022, would allow individuals to present an ITIN number to apply for health occupational licenses in Maryland. S.B. 523 did not pass the state legislature in 2022, but it is expected to be introduced again in the new session in 2023. The following information and data is meant to provide context related to this important policy solution.

### Expanding Access to Professional Licenses

- There are currently 9,730 undocumented students enrolled in higher education in Maryland. The state has already invested in these students' k-12 education. Additionally, it has allowed them to access in-state tuition in public colleges and universities. Maryland should recognize its investment and allow its undocumented students to reach their full economic potential by allowing them to obtain the licensure they need to practice in their professions.
- Other states, such as [California](#), [Illinois](#), and [Colorado](#), allow individuals with ITINs to obtain professional and occupational licenses. This puts the state of Maryland at a disadvantage, as the state runs the risk of losing college graduates if these students move to a more welcoming and accommodating state for the workforce.
- Provided that these individuals meet all other educational, training, or professional requirements, their immigration status should not impede them from practicing in their field. These individuals have demonstrated that they are qualified to practice the profession for which they have trained for and should be allowed to obtain licensure as a final step in their professional development.
- Expanding access to professional licenses is key to the success of Maryland. There is an overall healthcare workforce shortage in Maryland. According to the [Maryland Hospital Association](#), there is a shortage of about 4,000 licensed practical nurses and 5,000 full

time registered nurses. Allowing individuals without immigration status to obtain medical licensure would help alleviate the state's workforce shortage.

- In 2020, Governor Larry Hogan (R-MD) announced that [out-of-state medical professionals would be allowed to practice in the state of Maryland](#) if they are licensed in another state and meet certain requirements. This demonstrates that opening up the opportunity for undocumented residents of Maryland to obtain their medical licensure is necessary. The reality is that there is a shortage of healthcare workers that could be filled by individuals who are trained and are already living in the state of Maryland.
- The Healthcare Occupational Board does not need to focus on [immigration laws](#), which is a matter that falls under the federal purview. Instead, the board should focus on determining if the individual possesses the skills, knowledge, and training necessary to provide the service needed. If the person has those skills, they should be allowed to obtain the occupational license - just like anyone else in the state.

### **Economic Benefits**

- Expanding access to professional licenses in Maryland strengthens the state's economy. By allowing individuals to use their ITINs to obtain the licensure needed, the state would help generate more revenue. According to the American Immigration Council, in 2018, 66,350 immigrant business owners generated [\\$1.7 billion in business income](#).
- Individuals who are able to obtain their professional licensure are more likely to remain in Maryland to work and live in the state. Therefore, the taxes they pay, the money they spend in the local economy, and the jobs they create all benefit the state's economy. In 2018, it was estimated that Maryland's immigrant-led households had [\\$27.6 billion in spending power after tax income](#).
- Allowing individuals to obtain their licensure is an overall investment in the state's economic prosperity, because it strengthens the individuals' economic mobility. The more money these individuals are able to make, the more they will contribute in state taxes. According to the American Immigration Council, immigrant-led households in Maryland [paid \\$4.1 billion](#) in state and local taxes in 2018.

### **Ensuring Licensing Equity Across Maryland**

- [House Bill \(H.B.\) 136](#), introduced by Maryland Delegate David Moon (D-MD) would allow individuals to provide an ITIN to apply for occupational licenses instead of a SSN under certain circumstances. This would effectively expand access to professional licenses for undocumented individuals. An amendment would focus the bill specifically on child care licenses. The bill was considered in committee on Thursday, January 26, 2023.
- These capable professionals have lived in Maryland and are part of their community. Many of them have benefited from the [in-state tuition and financial aid policies](#) that the state has enacted. They are asking for the opportunity to practice their profession in the state they consider home.
- Without affirmative access to professional and occupational licensure, many immigrant professionals whose contributions are critical as the nation recovers from the Covid-19

pandemic, such as those in health care and early childhood education, cannot help alleviate industries facing significant labor shortages. It is important to expand access to professional licensure to all professions, including healthcare professions.

- Maryland state Senator Cheryl C.Kagan (D-MD) introduced [S.B.523](#) during the January 2022 legislative session. This bill prevents a health occupations board from denying a medical license to an immigrant if the individual meets the professional requirements to obtain such a license. It allows immigrants to use an ITIN number instead of a SSN on their state licensing application.
- S.B. 523 passed the state Senate, but the session adjourned before the state House could vote on it. However, Maryland Senator Kagan states that she plans on re-introducing the bill during the 2023 legislative session.
- Healthcare professionals are eager to contribute to the state’s workforce; however, by not passing similar legislation to S.B. 523 the state is losing out on the much needed talent that these healthcare professionals bring to the table.
- Healthcare professionals are well trained and possess all the skills and requirements necessary to perform in their respective fields. The fact that they do not have a social security number should not impede them from contributing to Maryland’s much-needed economic growth.

<b>Maryland</b>	<b>Number of People</b>
<i>Undocumented Immigrants in State</i>	237,845
<i>Undocumented Students</i>	<a href="#">9,730</a>
<i>DACA-Eligible Residents in State</i>	15,485
<i>Undocumented Students Graduating High School Each Year</i>	2,000

### **Additional Information: In-State Tuition & State Financial Aid, Driver Licenses & Identification**

- [Maryland Senate Bill \(S.B.\) 167](#), signed by the Maryland governor on May 10, 2011, permits undocumented students, including DACA recipients, to pay in-state tuition rates at state colleges and universities. In order to qualify for in-state tuition the student must meet a list of requirements including having attended a high school in Maryland for at least three years and obtaining a high school diploma or GED from the state.
- On May 26, 2018 the Maryland legislature passed [Maryland Senate Bill \(S.B.\) 532](#) which gives undocumented students, including DACA recipients, access to certain state financial aid programs. These students must meet the initial requirements for in-state tuition and they must also fill out the Maryland state financial aid application.
- The Maryland legislature also passed [Senate Bill \(S.B\) 715](#) May 2, 2013. This bill allows

undocumented immigrants in the state to apply for non-REAL ID compliant driver's licenses or state identification cards if they meet all requirements. Some of the requirements include obtaining an ITIN and filing Maryland income taxes for two years before applying for a driver's license.

- The state's lack of progress to allow undocumented individuals to obtain occupational licensure is at odds with the [state's history of supporting immigrants](#). By already providing in-state tuition, state financial aid, and driver's licenses, the next logical step is to allow these individuals to obtain licensure so they can practice in respective fields.

*For more information about Maryland data, state policies, and resources at the intersection of higher education and immigration, please [visit here](#). You can also find more information about occupational licensure in Maryland at [Jobs Opportunities Task Force](#).*