



Board of Nursing

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

January 26, 2023

The Honorable Luke Clippinger
Chair, House Judiciary Committee
Room 101 House Office Building
Annapolis, MD 21401-1991

RE: HB 136 – Child Support Enforcement – Occupational and Recreational Licenses – Taxpayer Identification Number – Letter of Information

Dear Chair Clippinger and Committee Members:

The Maryland Board of Nursing (the Board) respectfully submits this letter of information for House Bill (HB) 136 – Child Support Enforcement – Occupational and Recreational Licenses – Taxpayer Identification Number. This bill alters the duties of certain licensing authorities in provisions of law relating to the suspension or denial of a license due to child support arrearages, to provide for the disclosure of the taxpayer identification number of a licensee or an applicant for a license if the licensee or applicant does not have a social security number.

The Board respectfully requests that members of the General Assembly review 8 United States Code (U.S.C.) Section 1621¹ to determine whether HB 136 complies with the definition and requirements that govern an undocumented individual’s eligibility for state and local public benefits. The federal law currently defines a state or local public benefit as any grant, loan, professional license, or commercial license provided by an agency of a state or local government. The federal law further indicates that a state may provide that an individual who is not lawfully present in the U.S. is eligible for any state or local public benefit only through the enactment of a state law that affirmatively provides for such eligibility. The Board believes the State of Maryland must enact a law (either separately or through an amendment) that clearly expresses that an undocumented immigrant or individual is eligible to obtain state or local public benefits, including a professional health occupation license.

An individual taxpayer identification number is a tax-processing number issued by the Internal Revenue Service to ensure that non-resident individuals (such as spouses of U.S. citizens or lawful permanent residents) pay taxes regardless of their immigration status². Individuals who are lawfully present in the U.S. but may not be eligible for a social security number must obtain an individual taxpayer identification number. The Internal Revenue Service states, however, that a taxpayer number does not automatically provide work authorization. Additional documentation must be submitted by the individual to receive clearance for employment.

¹ §1621. Aliens Who Are Not Qualified Aliens or Non-Immigrants Ineligible for State and Local Public Benefits.

² ITIN (Individual Taxpayer Identification Number). Internal Revenue Service (IRS)

For the reasons discussed above, the Maryland Board of Nursing respectfully submits this letter of information for SB HB 136.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Hicks', with a stylized flourish at the end.

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.