

To: The Maryland House Economic Matters Committee

Re: Support for House Bill 557 (HB 557) – Occupational Licensing and Certification – Criminal History – Predetermination Review Process

Dear Chair Vice Chair, and Members of the Committee,

My name is **Sreedhar Potarazu, MD, MBA**, and I respectfully submit this written testimony in strong support of **House Bill 557 (HB 557)**. I do so based on my personal experience navigating Maryland's occupational licensing process.

As the law currently operates, licensing agencies are not consistently bound by enforceable timelines when conducting criminal history–related reviews. The absence of defined timeframes can result in delay, during which no final determination is issued, no clear justification for the delay is provided, and no statutory authority exists permitting such indefinite inaction.

Without specific guidelines on timing for review otherwise qualified individuals may be prevented from working, which runs counter to the General Assembly's stated policy of encouraging rehabilitation and workforce reentry.

HB 557 is an important corrective step because it formalizes a **predetermination review process**, allowing applicants to seek clarity *before* investing time, money, and professional capital into a licensing pathway that may ultimately be foreclosed. Just as importantly, the bill makes those determinations binding absent a material change in criminal history, which promotes fairness, transparency, and administrative integrity.

However, I respectfully urge the Committee to consider **amending HB 557** to further strengthen its alignment with existing law and related legislative efforts:

1. Time Since Conviction vs. Time Since Release

Section 1-209 appropriately emphasizes the *amount of time that has elapsed since the conviction*, not merely time since release. This distinction is critical. Focusing only on post-release time implicitly assumes that no rehabilitation, education, or character development occurs during incarceration—an assumption that is both factually incorrect and inconsistent with modern correctional policy. Any amendments or implementing language related to HB 557 should remain consistent with the statute's emphasis on time since conviction. (and not release). Also importantly the language in the proposed legislation SB 806 focuses on the term “time since conviction “ so there should be harmonization .

2. **Clear Timelines for Predetermination Reviews**

HB 557 establishes the right to a predetermination review but does not specify how long agencies have to complete that review. Without defined deadlines, delays that can affect current licensing process may simply be replicated at an earlier stage. Clear, enforceable timeframes—such as a fixed number of days to issue a written determination—are essential to ensure the process is meaningful rather than illusory.

3.

4. **Harmonization With Senate Bill 806 and Existing Statutes**

HB 557 should be harmonized with **Senate Bill 806**, which is currently proposed and addresses overlapping issues related to occupational licensing and criminal history. One of the central challenges agencies face today is not a lack of policy direction, but conflicting statutory language across different provisions of Maryland law. For example, certain licensing statutes, such as § 14-404, continue to reference a “good moral character” or “good moral conduct” standard, while other provisions require that any assessment of moral character be independent of the conduct included in the statement of facts for a conviction and instead be based on an applicant’s present conduct.

These competing standards create confusion for agencies and inconsistent outcomes for applicants. Aligning HB 557 with SB 606 would help clarify that moral character assessments must be grounded in current behavior, rehabilitation, and present fitness to practice, rather than duplicative reliance on past convictions already evaluated under § 1-209.

At its core, HB 557 recognizes a simple but powerful principle: **due process delayed is opportunity denied**. By clarifying standards, imposing reasonable timelines, and harmonizing statutory language across related bills, the General Assembly can reduce unnecessary barriers to employment while maintaining appropriate public safety protections.

For these reasons, I respectfully urge a **favorable report on HB 557**, with amendments that ensure consistency across Maryland’s licensing statutes and prevent administrative delay.

Respectfully submitted,

Sreedhar Potarazu, MD, MBA