

Written Testimony for Senate Bill 806

Health Occupations – Criminal History Records Checks

Before the Maryland Senate Finance Committee

Cross-Referenced Legislation: House Bill 1420

Submitted by: Sreedhar Potarazu, MD, MBA

Dear Chair, Vice Chair, and Members of the Committee,

My name is **Sreedhar Potarazu, MD, MBA**, and I respectfully submit this testimony in strong support of **Senate Bill 806 (SB 806)**. My endorsement is rooted in personal experience navigating Maryland's occupational licensing process after a conviction, as well as in the broader public policy imperative that licensing standards be transparent, evidence-based, and equitable for all applicants.

SB 806 proposes meaningful reforms to how Maryland's health occupations boards incorporate criminal history information into licensing decisions. Specifically, the bill updates criminal history record check requirements for numerous health professions and directs licensing authorities to consider individualized factors such as the age of the applicant at the time of the offense, the circumstances surrounding the crime, and evidence of rehabilitation when evaluating licensure eligibility.

These reforms represent a progressive step forward, yet they also raise an important legislative coherence issue: **unless SB 806 is harmonized with HB 1420 and other related criminal history evaluation statutes, conflicting statutory language may undermine their shared goals and perpetuate uncertainty for applicants, regulators, and boards alike.**

Harmonization of Statutory Standards

1. Avoiding Conflicting Evaluation Frameworks

SB 806 operates within a broader regulatory ecosystem that includes HB 1420 and existing licensing statutes addressing criminal history review.

Without harmonization, health boards may be subject to multiple, potentially inconsistent directives regarding how criminal convictions are weighed in licensing determinations.

Administrative ambiguity can lead to:

- Variable application of moral character assessments across professions;
- Uncertainty regarding the legal weight assigned to historical convictions;
- Inconsistent procedural expectations among licensing agencies.

When statutory directives are not aligned, agencies are forced to resolve ambiguity through internal interpretation, which can produce outcome variability that is unrelated to applicant merit or public safety risk.

2. Alignment with Predetermination and Transparency Principles in HB 1420

Although SB 806 does not explicitly establish a predetermination review mechanism, it should be read in conjunction with the policy direction embodied in HB 1420.

HB 1420 advances the principle that applicants should have meaningful insight into how criminal history will affect licensure decisions before investing substantial financial and professional resources into a career pathway.

Harmonization between SB 806 and HB 1420 would help ensure that:

- Applicants receive consistent guidance across health professions;
- Boards apply criminal history evaluation factors uniformly;
- Licensing outcomes are grounded in transparent statutory criteria rather than variable administrative discretion.

3. Temporal Evaluation — Emphasis on Time Since Conviction

Maryland licensing policy appropriately recognizes that the passage of time is a critical indicator in assessing rehabilitation and risk.

A framework that emphasizes **time since conviction**, rather than focusing exclusively on post-release duration, reflects a more accurate understanding of behavioral rehabilitation.

Rehabilitation is not confined to the period following release from incarceration. Educational advancement, vocational skill development, cognitive and behavioral transformation, and character maturation can occur during incarceration.

Therefore, statutory interpretation should avoid implicitly assuming that incarceration is a period devoid of personal or professional growth.

4. Clarifying Moral Character Assessment Standards

Traditional “good moral character” language in licensing law has often produced inconsistent outcomes when applied without operational definitions.

SB 806 should be implemented in a manner that prioritizes:

- Evidence of rehabilitation;
- Compliance with legal obligations;
- Current fitness to practice;
- Professional competence and demonstrated behavioral stability.

Evaluations should distinguish between historical conduct that has already been adjudicated and present indicators of professional suitability.

Avoiding Administrative Delay as a Barrier to Employment

Licensing systems that permit indefinite review periods risk creating functional barriers to employment even in the absence of formal denial.

Meaningful due process requires both access to review and reasonable temporal certainty.

Establishing clear expectations for review timelines will help ensure that criminal history evaluation processes do not inadvertently recreate the barriers that these reforms are intended to reduce.

Public Safety and Workforce Access Are Complementary Goals

Strengthening reentry pathways does not weaken public safety.

Research in correctional behavioral science demonstrates that recidivism risk declines substantially with time and with evidence of post-conviction stability. A licensing framework that integrates temporal distance from conviction, rehabilitation evidence, and current fitness assessment is more likely to identify genuinely high-risk applicants than frameworks relying primarily on static historical markers.

Conclusion

SB 806 represents an important advancement in Maryland's effort to modernize occupational licensing policy for health professions. When harmonized with HB 1420, the bill has the potential to create a coherent statutory framework that balances public safety, workforce needs, and rehabilitation policy.

Maryland has an opportunity to demonstrate national leadership by building a licensing system that recognizes rehabilitation while maintaining rigorous professional standards.

For these reasons, I respectfully urge the Committee to issue a favorable report on SB 806 and to consider statutory or interpretive language that ensures alignment with HB 1420 and related criminal history licensing reforms.

Thank you for your consideration.

Respectfully submitted,

Sreedhar Potarazu, MD, MBA