

SENATE BILL 187

C2, J2
SB 523/22 – EHE

3lr0374
CF HB 454

By: **Senator Kagan**

Introduced and read first time: January 20, 2023

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 10, 2023

CHAPTER _____

1 AN ACT concerning

2 **Health Occupations – Licenses, Certificates, and Registrations – ~~Immigrants~~**
3 **Lawful Presence and Identification Numbers**

4 FOR the purpose of prohibiting a health occupations board from ~~denying a license,~~
5 ~~certification, or registration to an immigrant if the individual meets certain~~
6 ~~requirements~~ requiring that an applicant provide proof that the applicant is lawfully
7 present in the United States or have a Social Security number or Individual
8 Taxpayer Identification Number as a condition for licensure, certification, or
9 registration; requiring each health occupations board to require each applicant for a
10 license to disclose the Social Security number or Individual Taxpayer Identification
11 Number of the applicant ~~and~~ or, as permitted under federal law, provide alternative
12 documentation, record the number ~~on~~ or alternative documentation in the
13 application file, and include certain information in a list provided to the Department
14 of Assessments and Taxation; and generally relating to ~~applications for~~ health
15 occupations licenses, certifications, ~~or~~ and registrations ~~by immigrants.~~

16 BY repealing and reenacting, without amendments,
17 Article – Family Law
18 Section 10–119.3(a) and (c)(1)
19 Annotated Code of Maryland
20 (2019 Replacement Volume and 2022 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Family Law
23 Section 10–119.3(b), (c)(2), and (d)(1)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Annotated Code of Maryland
(2019 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1–210

Annotated Code of Maryland

(2021 Replacement Volume and 2022 Supplement)

BY adding to

Article – Health Occupations

Section 1–227

Annotated Code of Maryland

(2021 Replacement Volume and 2022 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Family Law

10–119.3.

(a) (1) In this section the following words have the meanings indicated.

(2) “License” means any license, certificate, registration, permit, or other
authorization that:

(i) is issued by a licensing authority;

(ii) is subject to suspension, revocation, forfeiture, or termination by
a licensing authority; and

(iii) is necessary for an individual to practice or engage in:

1. a particular business, occupation, or profession; or

2. recreational hunting or fishing.

(3) (i) “Licensing authority” means a department, unit of a department,
commission, board, office, or court of the State.

(ii) “Licensing authority” includes:

1. the Maryland Department of Labor;

2. the Maryland Department of Health;

3. the Department of Human Services;
4. the Department of Transportation;
5. the Department of the Environment;
6. the Comptroller of the Treasury;
7. the Department of Agriculture;
8. the Maryland Insurance Administration;
9. the Public Service Commission;
10. the Secretary of State;
11. the State Department of Education;
12. the Department of Natural Resources;
13. the Office of the Attorney General;
14. the clerks of the court that are authorized to issue a license or certificate for professional services or recreational uses; and
15. the Court of Appeals.

(b) (1) Except as provided in [paragraph] PARAGRAPHS (2) AND (3) of this subsection, a licensing authority shall:

- (i) require each applicant for a license to disclose the Social Security number of the applicant; and
- (ii) record the applicant's Social Security number on the application.

(2) The Department of Natural Resources shall:

- (i) require an applicant for a recreational hunting or fishing license to disclose only the last four digits of the Social Security number of the applicant instead of the full Social Security number; and
- (ii) record the applicant's partial Social Security number on the application.

(3) EACH HEALTH OCCUPATIONS BOARD SHALL:

(I) REQUIRE EACH APPLICANT FOR A LICENSE TO ~~DISCLOSE~~:

1 **1. DISCLOSE THE SOCIAL SECURITY NUMBER OR**
2 **INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER OF THE APPLICANT; OR**

3 **2. PROVIDE ALTERNATIVE DOCUMENTATION AS**
4 **PERMITTED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES UNDER**
5 **SECTION 466(A)(13) OF THE SOCIAL SECURITY ACT; AND**

6 **(II) RECORD THE APPLICANT'S SOCIAL SECURITY NUMBER ~~OR~~,**
7 **INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER ~~OR~~, OR ALTERNATIVE**
8 **DOCUMENTATION PROVIDED UNDER ITEM (I) OF THIS PARAGRAPH IN THE**
9 **APPLICATION FILE.**

10 (c) (1) To carry out its responsibility under State and federal law, the
11 Administration may request from a licensing authority information concerning any obligor
12 in arrears in paying child support through a support enforcement agency.

13 (2) A request for information by the Administration under paragraph (1) of
14 this subsection:

15 (i) shall contain:

16 1. the full name of the obligor; and

17 2. **A.** the Social Security number or, as appropriate, the
18 partial Social Security number ~~OR~~ **OF THE OBLIGOR, IF KNOWN; OR**

19 **B.** **THE INDIVIDUAL TAXPAYER IDENTIFICATION**
20 **NUMBER** of the obligor, **IF KNOWN**; and

21 (ii) may be transmitted to a licensing authority using an electronic
22 format.

23 (d) (1) Upon receipt of a request for information under subsection (c) of this
24 section, a licensing authority shall submit the following information to the Administration
25 with respect to each obligor who is licensed by, or has applied for a license from, the
26 licensing authority:

27 (i) the full name of the obligor;

28 (ii) the address of the obligor, if known;

29 (iii) **IF KNOWN:**

30 **1.** the Social Security number or, as appropriate, the partial
31 Social Security number ~~OR~~ **OF THE OBLIGOR; OR**

1 **2. THE INDIVIDUAL TAXPAYER IDENTIFICATION**
2 **NUMBER** of the obligor, ~~if known~~; and

3 (iv) a description of the license held by the obligor.

4 **Article – Health Occupations**

5 1–210.

6 (a) By August 31 of each year, each health [occupation] OCCUPATIONS board
7 authorized to issue a license or certificate under this article shall provide to the Department
8 of Assessments and Taxation a list of persons issued licenses or certificates under this
9 article during the previous fiscal year, to assist the Department of Assessments and
10 Taxation in identifying new businesses within the State.

11 (b) The list provided under this section shall:

12 (1) Be provided free of charge; and

13 (2) Include, for each person on the list:

14 (i) The name and mailing address of the person; and

15 (ii) 1. The federal tax identification number of the person, [or,]
16 if KNOWN; OR

17 **2. IF the person does not have a federal tax identification**
18 number, the Social Security number of the person, IF KNOWN.

19 **1–227.**

20 **~~(A) IN THIS SECTION, “IMMIGRANT” MEANS AN INDIVIDUAL:~~**

21 **~~(1) WHOSE COUNTRY OF ORIGIN IS A COUNTRY OTHER THAN THE~~**
22 **~~UNITED STATES;~~**

23 **~~(2) WHO IS NOT A CITIZEN OF THE UNITED STATES; AND~~**

24 **~~(3) WHO IS A RESIDENT OF THE STATE.~~**

25 **~~(B) A HEALTH OCCUPATIONS BOARD MAY NOT DENY A LICENSE,~~**
26 **~~CERTIFICATION, OR REGISTRATION TO AN IMMIGRANT IF THE INDIVIDUAL~~**
27 **~~OTHERWISE MEETS ALL EDUCATIONAL, TRAINING, OR PROFESSIONAL~~**

~~REQUIREMENTS~~ REQUIRE AS A CONDITION FOR LICENSURE, CERTIFICATION, OR
REGISTRATION THAT AN APPLICANT:

(1) PROVIDE PROOF THAT THE APPLICANT IS LAWFULLY PRESENT IN
THE UNITED STATES, AS ALLOWED UNDER 8 U.S.C. § 1621; OR

(2) HAVE A SOCIAL SECURITY NUMBER OR INDIVIDUAL TAXPAYER
IDENTIFICATION NUMBER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
October 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.