

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 374

(Senator Waldstreicher)

Finance

Health and Government Operations

State Emergency Medical Services Board - Licenses and Certificates -
Application Requirements

This bill prohibits the State Emergency Medical Services (EMS) Board from requiring as a condition for licensure or certification that an applicant (1) provide proof of lawful presence in the United States or (2) have a Social Security number or individual taxpayer identification number. The bill authorizes the use of an individual taxpayer identification number or alternative documentation (as permitted by the U.S. Department of Health and Human Services under the federal Social Security Act) for licensing purposes. It does so by specifying that the EMS Board must require each applicant for a license to *either* disclose the applicant's Social Security number (as generally required under statute) or individual taxpayer identification number *or* provide alternative documentation.

Fiscal Summary

State Effect: The bill's requirements can be handled with existing budgeted resources. Special fund revenues for the Maryland Institute for Emergency Medical Services Systems (MIEMMS) may increase minimally beginning in FY 2025 if additional licenses are issued that otherwise could not be.

Local Effect: None.

Small Business Effect: Potential minimal.

Analysis

Current Law: MIEMSS is the administrative agency responsible for the oversight and coordination of the statewide EMS system and is governed by the EMS Board. With specified exceptions, an individual may not provide EMS in the State unless issued a

license or certificate by the EMS Board. In Maryland, emergency health care clinicians include cardiac rescue technicians, emergency medical dispatchers, emergency medical responders, emergency medical technicians, and paramedics.

To apply for a license or certificate from the EMS Board, an individual must submit an application and pay any applicable application fee. The EMS Board may not charge a licensing, certifying, testing, or retesting fee to any individual who is a member or employee of any governmental or volunteer fire, rescue, or EMS company at the date of the application.

Child Support Administration

The Child Support Administration (CSA) within the Department of Human Services has various enforcement methods against an obligor who is in arrears in paying child support, including the potential suspension or denial of occupational licenses. To facilitate these efforts, provisions under the Family Law Article generally require a licensing authority to obtain the Social Security number of the applicant and record the number on the application, subject to limited exceptions as discussed below.

The federal Social Security Act prescribes procedures that must be contained in state law to improve the effectiveness of child support enforcement. Under § 466(A)(13) of the Social Security Act, a Social Security number must be recorded on the application for any applicant for a professional license, driver's license, occupational license, recreational license, or marriage license. Guidance issued by the U.S. Department of Health and Human Services, Office of Child Support Enforcement has indicated that the provisions are not interpreted as requiring an individual to have a Social Security number as a condition of receiving a license, but requiring the states to have procedures in place that require an individual to furnish any Social Security number that the individual may have.

The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 generally denies eligibility for many state or local public benefits to an alien (any person not a citizen or national of the United States). Certain exceptions apply, both to eligible individuals and to eligible public benefits. However, federal law expressly denies eligibility to nonexempt aliens for a professional license or commercial license provided by an agency of a state or local government or by appropriated funds of a state or local government.

A state may establish that an individual who is not lawfully present in the United States is eligible for any state or local public benefit for which such an individual would otherwise be ineligible only through the enactment of a state law after August 22, 1996, which affirmatively makes such individuals eligible for specified benefits.

Health Occupations Boards

Chapters 375 and 376 of 2023 prohibit State health occupations boards from requiring as a condition for licensure, certification, or registration that an applicant (1) provide proof of lawful presence in the United States or (2) have a Social Security number or individual taxpayer identification number. Instead, each health occupations board must require each applicant for a license to *either* disclose the applicant's Social Security number or individual taxpayer identification number *or* provide alternative documentation as permitted by the U.S. Department of Health and Human Services under the federal Social Security Act.

State Fiscal Effect: MIEMMS advises that implementation of the bill can be handled using existing budgeted resources. To the extent the bill's provisions increase the number of licenses or certificates issued by the EMS Board, special fund revenues may increase minimally beginning in fiscal 2025. MIEMMS advises, however, that the majority of emergency health care clinicians are affiliated with a jurisdictional EMS operation at the date of their licensure or certification application and are, therefore, not charged a fee. However, applicants not affiliated with a jurisdictional EMS operation at the date of their licensure or certification application must pay required fees. In fiscal 2023, the EMS Board collected approximately \$4,200 in special fund revenues from license and certification fees. In fiscal 2023, there were approximately 20,000 emergency health care clinicians licensed or certified in the State.

MIEMMS further advises that, since 2021, the EMS Board does not require an applicant to provide a Social Security number and has instead accepted valid proof of lawful presence in the United States.

The bill is not anticipated to materially affect State operations or finances related to the work of CSA.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 380 (Delegate Solomon, *et al.*) - Health and Government Operations.

Information Source(s): Maryland Institute for Emergency Medical Services Systems; Comptroller's Office; Judiciary (Administrative Office of the Courts); Department of Human Services; Department of Legislative Services

Fiscal Note History: First Reader - February 5, 2024
js/jkb Third Reader - March 1, 2024

Analysis by: Amberly E. Holcomb

Direct Inquiries to:
(410) 946-5510
(301) 970-5510