



Board of Morticians and Funeral Directors

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

Dr. Mark E. Bailey, Board President · Christy Collins, Executive Director
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January 20, 2022

The Honorable Shane E. Pendergrass, Chair
Health Government Operations Committee
House Office Building, Room 241
6 Bladen Street
Annapolis, MD 21401

RE: HB 112 – Health Occupations – Service Members, Veterans, and Military Spouses – Temporary, Licensure, Certification, Registration, and Permitting - Letter of Support with Amendments

The Maryland Board of Morticians and Funeral Directors (the “Board”) submits this letter of support, with the amendments proposed below, for House Bill (HB) 112 - Health Occupations - Service Members, Veterans, and Military Spouses - Temporary Licensure, Certification, Registration, and Permitting.

The bill proposes an expedited form of temporary licensure in the fields licensed under Maryland’s Health Occupations Article, to be available for military service members, veterans, and military spouses. This temporary license would be available to a qualified applicant with an active, unencumbered license, certificate, registration, or permit in another State. The Board supports this bill in its efforts to provide military families relocating to Maryland with the opportunity to serve our State through their licensed health occupations. However, the Board proposes the following amendments to HB 112:

(1) As referenced on page 4, lines 6-14, the Board requests a clear definition of the proof required of an applicant’s military, veteran, or military spouse status.

The bill requires that the application for temporary licensure include, "in the form or manner required by the Health Occupations Board," proof that the military service member, veteran or spouse has been assigned to duty in Maryland or resides in Maryland.

The Board requests that the bill be amended to clarify which form of proof would be required, rather than leaving this to the individual licensing boards. This would guide the Board, provide uniformity for applicants, and reduce the burden on the Board to establish its own requirements for documentation.

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health and Mental Hygiene or the Administration.

(2) On page 4, lines 15-18, the Board requests that a completed criminal history records check be required for temporary licensure.

The bill requires the applicant for temporary licensure to have an “application” for a criminal history records check pending at the time of temporary licensure or the results of a national criminal records history check completed within one year before the date of application.

The Board does require that an applicant submit to a criminal history records check in order to issue a license, registration, or permit pursuant to Md. Code Ann., Health Occ. § 7-301.1. The Board may not issue a license, registration, or permit until the applicant’s criminal history information is received.

Under the bill as written, the Board would not have authority to review an applicant's criminal history prior to issuing the expedited, temporary license, unless the applicant happens to submit the results of a national criminal records history check completed within one year before the date of application. A situation may arise in which the Board receives a complete criminal history of an applicant only after a temporary license has been issued. As a result, the Board would be unable to revoke or otherwise review that license in response to the criminal conviction without going through a necessarily lengthy complaint process. The Board suggests an amendment to the bill requiring a *completed* criminal history records check for temporary licensure as opposed to the requirement of just applying for it.

The Board understands that waiting for a completed record check may delay the issuance of a temporary license and may even defeat the purpose of expediting this licensure. However, the review of an applicant’s criminal history is a crucial component of the Board’s duty to protect the Maryland public by regulating the death care professions. The Board respectfully suggests that other avenues of expediting a criminal history records check be explored without eliminating the requirement prior to licensure.

Thank you for your consideration of the Board’s position on HB 112. If you have any additional questions, please contact the Board’s Executive Director, Christy Collins, by email at Christy.Collins@maryland.gov or by phone at 410-764-4792.

Sincerely,



Mark Bailey, Ed.D
Board Chair
Maryland Board Morticians and Funeral Directors

CC: Delegate Brian M. Crosby

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