

IRC and Refugee Advocacy Lab present

STATES LAY THE FOUNDATION

Refugee and Immigrant Workforce Inclusion

Legislative Samples



TABLE OF CONTENTS

03

Wisconsin A.B. 176
Removal of Citizenship
Requirements

06

Washington H.B. 1129
International Medical
Graduates

13

Colorado Proposed
Legislation
International Medical
Graduates

17

New York Proposed
Legislation
Workforce Survey/Study

20

Nevada A.B. 275
Removal of Citizenship
Requirements

26

Pennsylvania Statewide
Survey
Workforce Study

27

Georgia H.R. 11
Workforce Survey/Study

33

Virginia H.B. 180
Workforce Survey/Study

35

Massachusetts
Workforce Development
Program Funding
Language addition

36

Utah Proposed
Legislation
Licensure by
Endorsement

WISCONSIN - Removal of Citizenship Requirements

A.B. 176

- The appointment of certain lawfully present aliens as law enforcement officers -

Description

Introduced on March 23, 2021

AN ACT to renumber and amend 66.0501 (1); and to create 66.0501 (1) (b) and 165.85 (4) (a) 1m. of the statutes; relating to: appointment of certain lawfully present aliens as law enforcement officers.

[Read Overview](#)

Analysis by the Legislative Reference Bureau

Under current law, no person may be appointed as a deputy sheriff of any county or police officer of any city, village, or town unless that person is a citizen of the United States. This bill allows the sheriff of a county or the appointing authority of a local law enforcement agency to elect to authorize the appointment of aliens who are the subject of a notice of decision from the federal Department of Homeland Security (DHS) granting deferred action under the Deferred Action for Childhood Arrivals program and who are in receipt of a valid employment authorization from the DHS as deputy sheriffs or police officers. The bill also prevents the law enforcement standards board from preventing such an alien from participating in a law enforcement preparatory training program.



2021 ASSEMBLY BILL 176

March 23, 2021 - Introduced by Representatives MACCO, STEFFEN, ARMSTRONG, BALDEH, JAMES, KITCHENS, ORTIZ-VELEZ, ROZAR, SKOWRONSKI, SUBECK, TAUCHEN, THIESFELDT, TUSLER, ZIMMERMAN and SINICKI, cosponsored by Senators BERNIER, COWLES, JACQUE, ROYS and L. TAYLOR. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT** *to renumber and amend* 66.0501 (1); and *to create* 66.0501 (1) (b) and
2 165.85 (4) (a) 1m. of the statutes; **relating to:** appointment of certain lawfully
3 present aliens as law enforcement officers.

Analysis by the Legislative Reference Bureau

Under current law, no person may be appointed as a deputy sheriff of any county or police officer of any city, village, or town unless that person is a citizen of the United States. This bill allows the sheriff of a county or the appointing authority of a local law enforcement agency to elect to authorize the appointment of aliens who are the subject of a notice of decision from the federal Department of Homeland Security (DHS) granting deferred action under the Deferred Action for Childhood Arrivals program and who are in receipt of a valid employment authorization from the DHS as deputy sheriffs or police officers. The bill also prevents the law enforcement standards board from preventing such an alien from participating in a law enforcement preparatory training program.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 66.0501 (1) of the statutes is renumbered 66.0501 (1) (a) and
5 amended to read:

WASHINGTON - International Medical Graduates

H.B. 1129

- The licensure of international medical graduates -

Summary

Passed on April 13, 2021

An act relating to the licensure of international medical graduates; and amending an existing revised code of Washington that is focused on limited licenses.

[Read Overview](#)

House Bill 1129 Details

Limited Licensure of International Medical Graduates.

The Washington Medical Commission (WMC) may issue limited licenses to international medical graduates (IMGs) upon nomination by the chief medical officer of any hospital, appropriate medical practice, the Department of Children, Youth, and Families (DCYF), the Department of Social and Health Services (DSHS), the Department of Corrections (DOC), or a county or city health department.

An IMG applying for a limited license must:

- be a state resident for at least one year; provide proof of certification by the Educational Commission for Foreign Medical Graduates;
- pass the United States Medical Licensing Examination; and
- submit to the WMC background check as generally required of applicants.

An IMG practicing with a limited license may only practice within the nominating facility or organization, under the control of a licensed supervising physician of the same or substantially similar clinical specialty. An IMG must also file a practice agreement with the WMC between the IMG and the supervising physician. A supervising physician is limited to supervising two limited license holders, unless the WMC grants an increase upon the supervising physician's request. A supervising physician must retain professional and personal responsibility for any act by a limited license holder that constitutes the practice of medicine and hold medical malpractice insurance for any claim against a limited license holder.

A limited license for an IMG is valid for two years and may be renewed once by the WMC upon application by the nominating entity.

Limited Licensure of United States and Canadian Medical Graduates.

The WMC may, upon the written request of the Secretary of the DCYF, issue limited licenses to persons who work with patients, residents, or inmates of state institutions under the control and supervision of the DCYF.

Read the [full summary here](#)

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1129

67th Legislature
2021 Regular Session

Passed by the House April 13, 2021
Yeas 93 Nays 5

**Speaker of the House of
Representatives**

Passed by the Senate April 10, 2021
Yeas 33 Nays 15

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1129** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1129

AS AMENDED BY THE SENATE

Passed Legislature - 2021 Regular Session

State of Washington 67th Legislature 2021 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Valdez, Stonier, Ortiz-Self, Goodman, Cody, Santos, and Macri)

READ FIRST TIME 01/25/21.

1 AN ACT Relating to the licensure of international medical
2 graduates; and amending RCW 18.71.095.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 18.71.095 and 2020 c 325 s 5 are each amended to
5 read as follows:

6 The commission may, without examination, issue a limited license
7 to persons who possess the qualifications set forth herein:

8 (1) The commission may, upon the written request of the secretary
9 of the department of social and health services, the secretary of
10 children, youth, and families, or the secretary of corrections, issue
11 a limited license to practice medicine in this state to persons who
12 have been accepted for employment by the department of social and
13 health services, the department of children, youth, and families, or
14 the department of corrections as physicians; who are licensed to
15 practice medicine in another state of the United States or in the
16 country of Canada or any province or territory thereof; and who meet
17 all of the qualifications for licensure set forth in RCW 18.71.050.

18 Such license shall permit the holder thereof to practice medicine
19 only in connection with patients, residents, or inmates of the state
20 institutions under the control and supervision of the secretary of

1 the department of social and health services, the department of
2 children, youth, and families, or the department of corrections.

3 (2) The commission may issue a limited license to practice
4 medicine in this state to persons who have been accepted for
5 employment by a county or city health department as physicians; who
6 are licensed to practice medicine in another state of the United
7 States or in the country of Canada or any province or territory
8 thereof; and who meet all of the qualifications for licensure set
9 forth in RCW 18.71.050.

10 Such license shall permit the holder thereof to practice medicine
11 only in connection with his or her duties in employment with the city
12 or county health department.

13 (3) Upon receipt of a completed application showing that the
14 applicant meets all of the requirements for licensure set forth in
15 RCW 18.71.050 except for completion of two years of postgraduate
16 medical training, and that the applicant has been appointed as a
17 resident physician in a program of postgraduate clinical training in
18 this state approved by the commission, the commission may issue a
19 limited license to a resident physician. Such license shall permit
20 the resident physician to practice medicine only in connection with
21 his or her duties as a resident physician and shall not authorize the
22 physician to engage in any other form of practice. Each resident
23 physician shall practice medicine only under the supervision and
24 control of a physician licensed in this state, but such supervision
25 and control shall not be construed to necessarily require the
26 personal presence of the supervising physician at the place where
27 services are rendered.

28 (4) (a) Upon nomination by the dean of an accredited school of
29 medicine in the state of Washington or the chief executive officer of
30 a hospital or other appropriate health care facility licensed in the
31 state of Washington, the commission may issue a limited license to a
32 physician applicant invited to serve as a teaching-research member of
33 the institution's instructional staff if the sponsoring institution
34 and the applicant give evidence that he or she has graduated from a
35 recognized medical school and has been licensed or otherwise
36 privileged to practice medicine at his or her location of origin.
37 Such license shall permit the recipient to practice medicine only
38 within the confines of the instructional program specified in the
39 application and shall terminate whenever the holder ceases to be
40 involved in that program, or at the end of one year, whichever is

1 earlier. Upon request of the applicant and the institutional
2 authority, the license may be renewed. The holder of a teaching
3 research license under this subsection (4)(a) is eligible for full
4 licensure if the following conditions are met:

5 (i) If the applicant has not graduated from a school of medicine
6 located in any state, territory, or possession of the United States,
7 the District of Columbia, or the Dominion of Canada, the applicant
8 must satisfactorily pass the certification process by the educational
9 commission for foreign medical graduates;

10 (ii) The applicant has successfully completed the exam
11 requirements set forth by the commission by rule;

12 (iii) The applicant has the ability to read, write, speak,
13 understand, and be understood in the English language at a level
14 acceptable for performing competent medical care in all practice
15 settings;

16 (iv) The applicant has continuously held a position of associate
17 professor or higher at an accredited Washington state medical school
18 for no less than three years; and

19 (v) The applicant has had no disciplinary action taken in the
20 previous five years.

21 (b) Upon nomination by the dean of an accredited school of
22 medicine in the state of Washington or the chief executive officer of
23 any hospital or appropriate health care facility licensed in the
24 state of Washington, the commission may issue a limited license to an
25 applicant selected by the sponsoring institution to be enrolled in
26 one of its designated departmental or divisional fellowship programs
27 provided that the applicant shall have graduated from a recognized
28 medical school and has been granted a license or other appropriate
29 certificate to practice medicine in the location of the applicant's
30 origin. Such license shall permit the holder only to practice
31 medicine within the confines of the fellowship program to which he or
32 she has been appointed and, upon the request of the applicant and the
33 sponsoring institution, the license may be renewed by the commission.

34 All persons licensed under this section shall be subject to the
35 jurisdiction of the commission to the same extent as other members of
36 the medical profession, in accordance with this chapter and chapter
37 18.130 RCW.

38 Persons applying for licensure and renewing licenses pursuant to
39 this section shall comply with administrative procedures,
40 administrative requirements, and fees determined as provided in RCW

1 43.70.250 and 43.70.280. Any person who obtains a limited license
2 pursuant to this section may apply for licensure under this chapter,
3 but shall submit a new application form and comply with all other
4 licensing requirements of this chapter.

5 (5) The commission may issue a time-limited clinical experience
6 license to an applicant who does not qualify for licensure under RCW
7 18.71.050 or chapter 18.71B RCW and who meets the requirements
8 established by the commission in rule for the purpose of gaining
9 clinical experience at an approved facility or program.

10 (6) (a) Upon nomination by the chief medical officer of any
11 hospital, appropriate medical practice located in the state of
12 Washington, the department of social and health services, the
13 department of children, youth, and families, the department of
14 corrections, or a county or city health department, the commission
15 may issue a limited license to an international medical graduate if
16 the applicant:

17 (i) Has been a Washington state resident for at least one year;

18 (ii) Provides proof the applicant is certified by the educational
19 commission for foreign medical graduates;

20 (iii) Has passed all steps of the United States medical licensing
21 examination; and

22 (iv) Submits to the commission background check process required
23 of applicants generally.

24 (b) A license holder under this subsection may only practice:

25 (i) Under the supervision and control of a physician who is
26 licensed in this state under chapter 18.71 or 18.57 RCW and is of the
27 same or substantially similar clinical specialty; and

28 (ii) Within the nominating facility or organization.

29 (c) A license holder must file with the commission a practice
30 agreement between the license holder and the supervising physician
31 who is of the same or substantially similar clinical specialty.

32 (d) A supervising physician may supervise no more than two
33 license holders under this subsection unless the commission grants a
34 request to increase this limit.

35 (e) A limited license issued under this subsection is valid for
36 two years and may be renewed once by the commission upon application
37 for renewal by the nominating entity.

38 (f) All persons licensed under this subsection are subject to the
39 jurisdiction of the commission to the same extent as other members of

1 the medical profession, in accordance with this chapter and chapter
2 18.130 RCW.

3 (g) Persons applying for licensure and renewing licenses under
4 this subsection shall comply with administrative procedures,
5 administrative requirements, and fees determined as provided in RCW
6 43.70.250 and 43.70.280.

7 (h) The supervising physician shall retain professional and
8 personal responsibility for any act which constitutes the practice of
9 medicine as defined in RCW 18.71.011 or the practice of osteopathic
10 medicine and surgery as defined in RCW 18.57.001 when performed by an
11 international medical graduate practicing under their supervision.
12 The supervising physician must hold medical malpractice insurance for
13 any malpractice claim against an international medical graduate
14 practicing under their supervision.

--- END ---

COLORADO - International Medical Graduates

In progress for the upcoming session

- Licensure recommendations regarding international medical graduates -

Summary

Proposed for the 2022 legislative session

Currently, the only established pathway to licensure for international medical graduates (IMGs) in Colorado requires the completion of a three-year residency program. Some states and Canadian provinces have developed additional pathways to licensure with clear success; other states have also facilitated the licensure of IMGs. The Nurse-Physician Advisory Task Force for Colorado Healthcare (NPATCH) wrote up a list of legislative recommendations from which legislation will be drawn.

Read Recommendations

Bill Recommendations

NPATCH is pleased to present recommendations regarding the licensure pathways available to International Medical Graduates (IMGs). Currently, the only established pathway to licensure for an IMG requires completion of a three-year residency program. Some states and Canadian provinces have developed additional pathways to licensure with clear success; other states have attempted to facilitate licensure of IMGs with less clear results. NPATCH consulted with policy experts to survey the range of current approaches and then questioned the administrators of varying approaches concerning the details of their programs.

Approaches taken by other states and provinces can be summarized into two categories: programs designed to assist IMGs who have not completed post-graduate residency training and programs designed to assist IMGs who have completed their training and have clinical experience. The recommendations benchmark approaches taken in both categories that have demonstrated clear success.

NPATCH is satisfied that the attached recommendations are feasible and, with legislative support and careful implementation, could position Colorado to benefit from much-needed and unrealized medical expertise in our communities. In the longer term, successful implementation could attract medical expertise from a wider range, as the leading Canadian provinces are now experiencing.

Thank you for considering our recommendations.

Overall, this plan calls for the creation of an International Medical Graduate (IMG) Assistance Program that can provide guidance for IMGs as to a recommended pathway to licensure, which may involve several new or updated programs or pathways, as described below and as shown in the corresponding flowchart. It should be noted that the proposals do not recommend that the criteria required for licensure be reduced beyond what is required for domestically educated medical graduates. Specifically, it is expected that all foreign education meet the standards of the Educational Commission for Foreign Medical Graduates, which is the US Department of Education's authorized credential evaluation and guidance agency for foreign physicians and graduates of foreign medical schools who seek to practice in the United States or apply for a U.S. medical residency program. Moreover, these proposals recognize the value that facilitating the licensure of IMGs holds to our communities and, particularly, that they can be targeted to alleviate shortages of healthcare professionals in rural and urban populations. Further, it is hoped that success in these proposals will be adapted to serve as a model for other healthcare professions over time, specifically, but not exclusively, to address the shortages in nursing.

Finally, implementation of these proposals should be done with consideration of other healthcare professions, such as nurse practitioners, that may be conducting training programs at the same facilities.

Proposal #1: IMG Assistance Program. The IMG Assistance Program is envisioned as a state-run or state-directed and funded organization. Staff would provide direct services to IMGs, including reviewing each IMGs background, education, training, and other relevant experience in order to recommend the best-fitting pathway to licensure.

COLORADO - International Medical Graduates In progress for the upcoming session (Con't)

Bill Recommendations (Con't)

Other services may include, but would not be limited to, assisting with residency applications, providing background on the US healthcare system, test preparation, or providing financial assistance (e.g., cost reimbursements or stipends). To facilitate these services, guides to licensure specific to IMGs would be created and maintained on the Colorado Medical Board (CMB) webpage and would include contact information for the IMG Assistance Program. Staffing considerations should prioritize persons with personal experience with immigration when possible. IMG Assistance Program staff would administer and provide support for the following programs and pathways to licensure:

Proposal #2: Clinical Readiness Program. The IMG Assistance Program may direct certain IMGs to this new program if the IMG would benefit from obtaining hands-on clinical experience in the United States. For example, this could be used to bolster an IMGs application for a residency program. Alternatively, for experienced IMGs who have already completed a residency program, the program could facilitate acclimation to the healthcare system in the United States and to refresh clinical skills if the IMG has been out of practice. It is envisioned that at least one Clinical Readiness Program be established and funded, to be hosted by a healthcare provider/system, medical school, or residency program. CMB would establish criteria (e.g., minimum requirements, standards, and competencies) that would allow CMB to approve Clinical Readiness Programs as internships, thus allowing participants to be granted a physician-in-training license, permitting them to practice under supervision. If there are more IMGs than Clinical Readiness Program slots available, the host of each Clinical Readiness Program could select IMGs through an application process. Additionally, program funding should include a stipend for participants, as is customary in residency programs, and consistent with similar training programs in other states. Initially, the Clinical Readiness Program would assist IMGs in specialties that are most needed, such as internal medicine, family medicine, pediatrics, and gynecology. The range of specialties supported by the program could be expanded over time and could be targeted to alleviate needs in rural and underserved urban communities. The program should strive to include practitioners who have experience with assessment programs in other states or jurisdictions.

Proposal #3: Earmarked Residency Slots. It is envisioned that the IMG Assistance Program would award funding to interested residency programs for additional residency slots that are reserved for IMGs who meet certain criteria. Awards would follow approval of the additional residency slots by the Accreditation Council for Graduate Medical Education. These slots would operate like other residency slots; they would be accredited and filled through the national matching system. The only difference operationally would be that the slots would not receive federal funding and sub-criteria for these slots would require applicants to be an IMG (and any other criteria established). Each new slot would be awarded funding for at least the length of the residency program (typically three years). Residency programs willing to host additional slots can be selected by location (e.g., rural, underserved), practice specialty (e.g., family medicine), anticipated volume of applicants, and available funding. IMGs who obtain these residency slots may be required to repay a portion of the program cost (e.g., fixed amount or a percent of income for set number of years post-residency) or agree to a service requirement post-residency (e.g., serve in rural location for set number of years). Other criteria for selected IMGs could include a minimum period of state residency, visa type (e.g., refugee), or a maximum length of time since completion of medical school.

Proposal #4: Physician "Re-Entry" Licenses. The Medical Practice Act currently establishes Re-Entry Licenses for physicians who have been out of practice for at least two years to allow for assessment of their clinical competency through supervised practice and other criteria as determined by CMB. Such Re-Entry Licenses, upon successful completion of the requirements established by CMB, can be converted to a full, unrestricted license to practice medicine. While statute does not restrict Re-Entry Licenses to those with previously active US licenses, this has historically been how CMB has utilized them.

COLORADO - International Medical Graduates In progress for the upcoming session (Con't)

Bill Recommendations (Con't)

However, this pathway could be utilized for an IMG who holds a current or expired international license with minor revision. Specifically, this revision would remove the requirement to be out of practice for two years and would create a Re-Entry License assessment program, approved by CMB, designed to assess the competence of IMGs who are granted a Re-Entry License. The assessment program would be hosted by a healthcare provider/system, medical school, or residency program. CMB would approve the criteria (e.g., minimum requirements, standards, and competencies) that would guide the assessment program. It is envisioned that at least one IMG Re-Entry assessment program be established and funded.

Practically speaking, it is envisioned that:

- The IMG Assistance Program would direct IMGs who meet Re-Entry License criteria established by CMB to IMG Re-Entry Programs within their specialty.
- IMG Re-Entry Programs would select the IMGs they will admit, which could be based on their own entrance criteria, beyond the minimum requirements set by CMB. Additional criteria
- could include completion of a Clinical Readiness Program or completion of other trainings.
- Once accepted into an IMG Re-Entry Program, an IMG would then apply to CMB for the Re-Entry License.
- CMB would review applications from IMGs admitted into an IMG Re-Entry Program to determine whether to grant a Re-Entry License. CMB would have discretion for approving applicants, though the admittance into an approved IMG Re-Entry program would act as a primary indicator that physicians within the IMG's specialty are satisfied that the IMG is competent to practice under their supervision.
- CMB would be able to set other criteria the IMG would have to meet, beyond completion of the IMG Re-Entry Program, to qualify for a full, unrestricted license. These requirements would include a positive recommendation from the IMG Re-Entry program administrator, and may include other specific trainings, but would not require completion of a US residency.

Proposal #5: Distinguished Foreign Teaching Physician License. The Medical Practice Act currently establishes a Distinguished Foreign Teaching Physician license for exceptionally qualified IMGs who are hired as faculty at a medical school. These licensees may only practice within their role with the medical school and at the core teaching hospitals affiliated with the medical school. While this license may be renewed if the faculty role is maintained by the IMG, there is no established pathway for this license to be converted to a full, unrestricted license. Additionally, the number of Distinguished Foreign Teaching Physicians licensed is currently limited by two factors: first, that they must practice as faculty of a medical school and, second, that CMB currently requires both prior teaching experience and prior research/publication experience to obtain this license.

This proposal would mandate that CMB establish minimum requirements that a Distinguished Foreign Teaching Physician would have to complete in order to obtain full, unrestricted licensure. It would also expand where a Distinguished Foreign Teaching Physician may practice to include residency programs and would allow licensure as a Distinguished Foreign Teaching Physician with either teaching or research/publication experience.

- Path to Full, Unrestricted Licensure. It is envisioned that the requirements for full, unrestricted licensure would include, at a minimum, practice as a Distinguished Foreign Teaching Physician for a minimum period established by CMB (e.g., three years) and a positive reference from the program dean or program director. CMB would have discretion to establish other criteria. For example, CMB may require a certain number of clinical hours while practicing as a Distinguished Foreign Teaching Physician. Completion of a US residency would not be required.
- Programs that can host Distinguished Foreign Teaching Physicians. CMB would be able to grant Distinguished Foreign Teaching Physician licenses to faculty of accredited residency programs within Colorado, in addition to medical schools.

COLORADO - International Medical Graduates In progress for the upcoming session (Con't)

Bill Recommendations (Con't)

- Eligibility Requirements. CMB would be able to accept either teaching or research/publication experience.

Proposal #6: Reduced Residency Requirements. The Medical Practice Act currently allows CMB to require IMGs to complete up to three years of post-graduate training to qualify for a full license. CMB has historically required IMGs to complete three years of a US residency program to qualify for a full license. Graduates of US medical schools, however, are required to complete one year of a US residency program to qualify for a full license. This proposal would equalize the post-graduate training requirement for IMGs and domestic medical graduates at one year. Equalization of the years of post-graduate training required for a full license would reduce barriers IMGs face in matching with a residency program. A domestic medical graduate with a full license in years two and three of a residency program qualifies for a higher reimbursement rate than an IMG who practices with a training license. Additionally, costs for administering a residency program that includes IMGs would be equalized (administrative costs are higher due to the additional supervision IMGs currently require in years two and three, compared to fully licensed domestic graduates).

NEW YORK - Workforce Survey/Study

S.B. S7429

- Study on immigrant and refugee participation in adult education and the workforce -

Summary

Introduced October 12, 2021

An act directing the commissioner of labor to conduct a comprehensive study on immigrant and refugee participation in adult education and the workforce; and providing for the repeal of such provisions upon expiration thereof.

[Read Overview](#)

State Bill S7429 Proposed Bill

This bill was proposed in October for the 2022 session. It's focused on the commissioner of labor, in consultation with the commissioner of the office of temporary and disability assistance, the commissioner of education, and the New York state office for new Americans in conjunction with any other department, division, board, bureau, commission, agency, or public authority of the state or any political subdivision thereof deemed necessary by the commissioners to conduct a comprehensive study and prepare a report on immigrant and refugee participation in adult education and the workforce.

STATE OF NEW YORK

7429

2021-2022 Regular Sessions

IN SENATE

October 12, 2021

Introduced by Sens. GOUNARDES, MAY, RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT directing the commissioner of labor to conduct a comprehensive study on immigrant and refugee participation in adult education and the workforce; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. 1. The commissioner of labor, in consultation with the
2 commissioner of the office of temporary and disability assistance, the
3 commissioner of education, and the New York state office for new Ameri-
4 cans (hereinafter referred to as "the commissioners") in conjunction
5 with any other department, division, board, bureau, commission, agency,
6 or public authority of the state or any political subdivision thereof
7 deemed necessary by the commissioners, shall conduct a comprehensive
8 study and prepare a report on immigrant and refugee participation in
9 adult education and the workforce. The data collected shall only be
10 utilized as authorized under state and federal law to inform the state's
11 efforts to advance economic stability and integration for immigrants and
12 refugees. The state shall never use or share the data solely for the use
13 of civil immigration enforcement.

14 2. The study shall:

15 (a) identify any barriers that refugees and immigrants face to enter-
16 ing the workforce, including but not limited to licensing, language
17 access, and transportation;

18 (b) assess participation by and obstacles to refugees and immigrants
19 in adult education and workforce training programs;

20 (c) compare, to the extent practicable, the current employment of
21 refugees and immigrants to that of their employment prior to resettling
22 in the United States, including any occupational and professional
23 licenses, certifications, credentials and academic degrees earned;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD13081-02-1

1 (d) identify the top occupations that refugees and immigrants seek to
2 work in and any barriers that prevent them from using work experience
3 and education gained outside of the United States to obtain employment
4 in such occupations; and

5 (e) identify any other issues the commissioners deem relevant to the
6 purposes of this act.

7 3. In conducting such study and developing recommendations, the
8 commissioners shall seek the input of relevant governmental and non-go-
9 vernmental stakeholders from across the state, including refugees and
10 immigrants.

11 4. Not later than one year after the effective date of this act, the
12 commissioners shall prepare and submit to the governor, the temporary
13 president of the senate, and the speaker of the assembly a report of the
14 study's findings, together with specific recommendations for minimizing
15 existing barriers and maximizing opportunities for refugees and immi-
16 grants to gain access to education and enter the workforce in New York
17 State.

18 § 2. This act shall take effect immediately and shall expire and be
19 deemed repealed 2 years after it shall have become a law.

NEVADA - Removal of Citizenship Requirements

A.B. 275

- Makes various changes relating to professional and occupational licensing -

Summary

Passed on May 22, 2019

AN ACT relating to licensing; prohibiting a regulatory body from denying licensure of an applicant based on his or her immigration or citizenship status; authorizing an applicant for a professional or occupational license who does not have a social security number to provide an individual taxpayer identification number; and providing other matters properly relating thereto.

[Read Overview](#)

Assembly Bill 275 Summary

The existing law allows a person to apply for various professional and occupational licenses if such person meets the requirements established in statute and by the regulatory body which grants the license. Under existing law, some licenses specifically require an applicant to be a citizen of the United States or otherwise authorized to work in the United States. Under existing federal immigration law, an unlawful alien may request various forms of relief from removal from the United States. (Immigration and Nationality Act, 8 U.S.C. §§ 1101 et seq.) The Secretary of Homeland Security may exercise prosecutorial discretion in granting certain forms of relief, such as deferred action for removal. Existing federal laws and programs allow certain unlawful aliens to receive work authorization through a policy or program of deferred action for removal.

Existing federal law requires a regulatory body that issues a professional or occupational license to collect the social security number of an applicant. Existing federal law also allows a state to grant a professional or occupational license to an alien who is not lawfully present in the United States through enactment of state law. Sections 2, 3, 113, 116, 117, 120-122, 125, 129, 132 and 138 of this bill prohibit a regulatory body from denying an application for a license, certificate or permit based solely on the applicant's immigration or citizenship status and authorize an applicant to provide his or her individual taxpayer identification number on his or her application if the applicant does not have a social security number, which must only be used for certain purposes. Section 114 of this bill prohibits the Secretary of State from collecting the social security number or alternative personally identifying number of a notary public or an applicant for appointment as a notary public. Sections 13-18, 32, 33, 66, 74, 100, 111, 124, 130, 131 and 133-137 of this bill make conforming changes.

Please note: Only the first five pages of the bill text are available below. The full bill text can be viewed by clicking the "Read Overview" button. The pages not included below strike citizenship requirements occupation by occupation. Additional revisions are made for the licensing of "sales agents" (p. 106); "notary public[s]" (p.109), all licenses granted by city councils or "other governing bod[ies]" (p. 110); "appraiser[s]" (p. 111); "State Library, Archives, Public Records Administrator[s]" (p. 112); teachers (p. 113); "behavior analyst" (p. 115); "a license to inspect, repair, adjust or install devices for the control of emissions of motor vehicles" (p. 119); and others throughout.

Assembly Bill No. 275—Assemblymen Torres, Watts, Assefa, Flores; Carrillo, Duran, Fumo, Jauregui, Martinez, McCurdy, Monroe-Moreno, Neal and Spiegel

Joint Sponsors: Senators Denis, Parks, Cancela; and D. Harris

CHAPTER.....

AN ACT relating to licensing; prohibiting a regulatory body from denying licensure of an applicant based on his or her immigration or citizenship status; authorizing an applicant for a professional or occupational license who does not have a social security number to provide an individual taxpayer identification number; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law allows a person to apply for various professional and occupational licenses if such person meets the requirements established in statute and by the regulatory body which grants the license. (Title 54 of NRS; Chapters 119A, 240, 289, 361, 379, 437, 449 and 450B of NRS; NRS 391.060) Under existing law, some licenses specifically require an applicant to be a citizen of the United States or otherwise authorized to work in the United States. (Chapters 622, 623A, 625, 631, 635, 636, 637, 641, 641A, 641B, 641C, 644A, 649, 656 of NRS; NRS 391.060, 437.205, 437.215, 437.220, 630.160, 630.1606, 630.1607, 630.2751, 630.2752, 630A.230, 632.161, 632.162, 632.281, 632.282, 633.311, 633.4335, 633.4336, 634.080, 637B.203, 637B.204, 638.100, 638.116, 638.122, 639.136, 639.1365, 639.2315, 639.2316, 640.145, 640.146, 640A.165, 640A.166, 648.1493) **Sections 4-12, 19-31, 34-65, 67-73, 75-99, 101-110, 112, 115, 123 and 126-128** of this bill remove this requirement.

Under existing federal immigration law, an unlawful alien may request various forms of relief from removal from the United States. (Immigration and Nationality Act, 8 U.S.C. §§ 1101 et seq.) The Secretary of Homeland Security may exercise prosecutorial discretion in granting certain forms of relief, such as deferred action for removal. (6 U.S.C. § 202(5); *Regents of the Univ. of Cal. v. Dep’t. of Homeland Sec.*, 908 F.3d 476, 486-490 (9th Cir. 2018)) Existing federal laws and programs allow certain unlawful aliens to receive work authorization through a policy or program of deferred action for removal. (*Regents of the Univ. of Cal. v. Dep’t. of Homeland Sec.*, 908 F.3d 476, 490 (9th Cir. 2018))

Existing federal law requires a regulatory body that issues a professional or occupational license to collect the social security number of an applicant. (42 U.S.C. § 666(a)(13)) Existing federal law also allows a state to grant a professional or occupational license to an alien who is not lawfully present in the United States through enactment of state law. (8 U.S.C. § 1621(d))

Sections 2, 3, 113, 116, 117, 120-122, 125, 129, 132 and 138 of this bill prohibit a regulatory body from denying an application for a license, certificate or permit based solely on the applicant’s immigration or citizenship status and authorize an applicant to provide his or her individual taxpayer identification number on his or her application if the applicant does not have a social security number, which must only be used for certain purposes. **Section 114** of this bill prohibits the Secretary of State from collecting the social security number or



alternative personally identifying number of a notary public or an applicant for appointment as a notary public.

Sections 13-18, 32, 33, 66, 74, 100, 111, 124, 130, 131 and 133-137 of this bill make conforming changes.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

WHEREAS, Federal law, in 8 U.S.C. § 1621, authorizes states to allow an alien who is not lawfully present in the United States to be eligible to receive certain state and local benefits, including, without limitation, a professional license, if the State affirmatively provides for such eligibility in statute; and

WHEREAS, Federal law, in 8 U.S.C. § 1324a, generally prohibits the employment of an unauthorized alien; and

WHEREAS, The provisions of this act are not intended to and do not conflict with any federal law relating to immigration; now, therefore,

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 622 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *The Legislature hereby finds and declares that:*

1. It is in the best interests of this State to make full use of the skills and talents of every resident of this State.

2. It is the public policy of this State that each resident of this State, regardless of his or her immigration or citizenship status, is eligible to receive the benefit of applying for a license, certificate or permit pursuant to 8 U.S.C. § 1621(d).

Sec. 3. *1. Notwithstanding any other provision of this title, a regulatory body shall not deny the application of a person for the issuance of a license pursuant to this title based solely on his or her immigration or citizenship status.*

2. Notwithstanding the provisions of NRS 623.225, 623A.185, 624.268, 625.387, 625A.105, 628.0345, 628B.320, 630.197, 630A.246, 631.225, 632.3446, 633.307, 634.095, 634A.115, 635.056, 636.159, 637.113, 637B.166, 638.103, 639.129, 640.095, 640A.145, 640B.340, 640C.430, 640D.120, 640E.200, 641.175, 641A.215, 641B.206, 641C.280, 642.0195, 643.095, 644A.485, 645.358, 645A.025, 645B.023, 645B.420, 645C.295, 645C.655, 645D.195, 645E.210, 645G.110, 645H.550, 648.085, 649.233, 652.075, 654.145, 655.075 and 656.155, an applicant for a license who does not have a social security number must provide an



alternative personally identifying number, including, without limitation, his or her individual taxpayer identification number, when completing an application for a license.

3. A regulatory body shall not disclose to any person who is not employed by the regulatory body the social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, of an applicant for a license for any purpose except:

- (a) Tax purposes;*
- (b) Licensing purposes; and*
- (c) Enforcement of an order for the payment of child support.*

4. A social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, provided to a regulatory body is confidential and is not a public record for the purposes of chapter 239 of NRS.

Sec. 4. NRS 622.530 is hereby amended to read as follows:

622.530 1. Except as otherwise provided by specific statute relating to the issuance of a license by endorsement, a regulatory body shall adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to any natural person who:

(a) Holds a corresponding valid and unrestricted license to engage in that occupation or profession in the District of Columbia or any state or territory of the United States;

(b) Possesses qualifications that are substantially similar to the qualifications required for issuance of a license to engage in that occupation or profession in this State; and

(c) Satisfies the requirements of this section and the regulations adopted pursuant thereto.

2. The regulations adopted pursuant to subsection 1 must not allow the issuance of a license by endorsement to engage in an occupation or profession in this State to a natural person unless such a person:

(a) ~~Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~—(b) Has not been disciplined by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to engage in an occupation or profession;~~

~~(c)~~ (b) Has not been held civilly or criminally liable in the District of Columbia or any state or territory of the United States for misconduct relating to his or her occupation or profession;



~~(c)~~ (c) Has not had a license to engage in an occupation or profession suspended or revoked in the District of Columbia or any state or territory of the United States;

~~(d)~~ (d) Has not been refused a license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States for any reason;

~~(e)~~ (e) Does not have pending any disciplinary action concerning his or her license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States;

~~(f)~~ (f) Pays any applicable fees for the issuance of a license that are otherwise required for a natural person to obtain a license in this State;

~~(g)~~ (g) Submits to the regulatory body a complete set of his or her fingerprints and written permission authorizing the regulatory body to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or proof that the applicant has previously passed a comparable criminal background check; and

~~(h)~~ (h) Submits to the regulatory body the statement required by NRS 425.520.

3. A regulatory body may, by regulation, require an applicant for issuance of a license by endorsement to engage in an occupation or profession in this State to submit with his or her application:

(a) Proof satisfactory to the regulatory body that the applicant:

(1) Has achieved a passing score on a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the regulatory body;

(2) Has completed the requirements of an appropriate vocational, academic or professional program of study in the occupation or profession for which the applicant is seeking a license by endorsement in this State;

(3) Has engaged in the occupation or profession for which the applicant is seeking a license by endorsement in this State pursuant to the applicant's existing licensure for the period determined by the regulatory body preceding the date of the application; and

(4) Possesses a sufficient degree of competency in the occupation or profession for which he or she is seeking licensure by endorsement in this State;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and complete; and



(c) Any other information required by the regulatory body.

4. Not later than 21 business days after receiving an application for a license by endorsement to engage in an occupation or profession pursuant to this section, the regulatory body shall provide written notice to the applicant of any additional information required by the regulatory body to consider the application. Unless the regulatory body denies the application for good cause, the regulatory body shall approve the application and issue a license by endorsement to engage in the occupation or profession to the applicant not later than:

(a) Sixty days after receiving the application;

(b) If the regulatory body requires an applicant to submit fingerprints and authorize the preparation of a report on the applicant's background based on the submission of the applicant's fingerprints, 15 days after the regulatory body receives the report; or

(c) If the regulatory body requires the filing and maintenance of a bond as a requirement for the issuance of a license, 15 days after the filing of the bond with the regulatory body,

↳ whichever occurs later.

5. A license by endorsement to engage in an occupation or profession in this State issued pursuant to this section may be issued at a meeting of the regulatory body or between its meetings by the presiding member of the regulatory body and the executive head of the regulatory body. Such an action shall be deemed to be an action of the regulatory body.

6. A regulatory body may deny an application for licensure by endorsement if:

(a) An applicant willfully fails to comply with the provisions of paragraph ~~(h)~~ (g) of subsection 2; or

(b) The report from the Federal Bureau of Investigation indicates that the applicant has been convicted of a crime that would be grounds for taking disciplinary action against the applicant as a licensee and the regulatory body has not previously taken disciplinary action against the licensee based on that conviction.

7. The provisions of this section are intended to supplement other provisions of statute governing licensure by endorsement. If any provision of statute conflicts with this section, the other provision of statute prevails over this section to the extent that the other provisions provide more specific requirements relating to licensure by endorsement.

Sec. 5. NRS 623A.170 is hereby amended to read as follows:

623A.170 1. Any person who:

(a) Is at least 21 years of age;



PENNSYLVANIA - Workforce Survey/Study

Department of State

– Statewide survey of professional licensure experiences –

Summary

Survey launched in February 2021

As part of Pennsylvania's Governor's commitment to remove barriers to professional licensing, the Pennsylvania Department of State (DOS) launched a survey for new Pennsylvanians to better understand their experiences in gaining professional licensure in the commonwealth and to reduce unnecessary roadblocks to licensure in the future.

[Read Details](#)

Professional Licensure Survey

The New Pennsylvanians Occupational Licensure Survey will study the effects of occupational licensure on the immigrant, refugee and asylee communities. The survey is part of a \$422,000, three-year grant Governor Wolf secured from the U.S. Department of Labor in 2018 to reduce excessive occupational licensing requirements and explore alternative approaches, such as professional certification, that maintain public health and safety. To understand the experiences and needs of new Pennsylvanians, the DOS survey asks about topics such as language access, education, occupational licensing, licensure portability, employment and barriers related to professional licensing. Feedback from survey participants will be used to develop recommendations to assist the immigrant, refugee and asylee communities in obtaining professional licensure in Pennsylvania. The survey is available in multiple languages. All responses will be kept confidential. The survey for new Pennsylvanians will run until the end of July, and the findings from this study will be made available by the end of 2021.

GEORGIA - Workforce Survey/Study

H.R. 11

- House Study committee on innovative ways to maximize global talent -

Summary

Passed March 31, 2021

A resolution creating the House Study Committee on Innovative Ways to Maximize Global Talent in Georgia; and for other purposes.

[Read Details](#)

H.R. 11 Results

The House Study Committee on Innovative Ways to Maximize Global Talent was created by H.R.11, which passed during the 2021 Legislative Session. The study committee was tasked with finding solutions to strengthen Georgia's economy by enabling foreign-born Georgians to contribute to the fullest extent. Committee members attended three meetings to study the educational, training, licensing, and development issues foreign-born citizens face.

Read the [full report delivered on November 15, 2021.](#)

The House Committee on Small Business Development offers the following substitute to HR 11:

A RESOLUTION

1 Creating the House Study Committee on Innovative Ways to Maximize Global Talent in
2 Georgia; and for other purposes.

3 WHEREAS, Georgia is a welcoming state where hardworking people of all origins and
4 walks of life can live, work, and thrive; and

5 WHEREAS, one in ten Georgians is foreign-born, totaling more than one million, and these
6 Georgians contribute to the state's unique culture and diversity; and

7 WHEREAS, Georgia has been named the best state in the nation in which to conduct
8 business for seven years in a row; and the role of foreign-born Georgians in this business
9 success is undeniable; and

10 WHEREAS, Georgia values the determination and entrepreneurial spirit of its small
11 businesses, and foreign-born Georgians are a driving force in the small business community,
12 owning nearly one-third of all main street businesses, despite comprising only one-tenth of
13 the state's population; and

14 WHEREAS, in 2018 alone, Georgia's foreign-born entrepreneurs provided jobs for more than
15 200,000 Georgians and produced more than \$33 billion in sales revenues; and

16 WHEREAS, Georgia's work force is also increasingly global, and Georgia business leaders
17 have forged a powerful partnership with the state's foreign-born communities to recruit
18 skilled, talented, and motivated workers; and

19 WHEREAS, one in seven Georgia workers is foreign-born, and 84 percent of foreign-born
20 Georgians are of working age; and

21 WHEREAS, foreign-born workers play a vital role in the state's core industries, including
22 agriculture, forestry, poultry processing, manufacturing, construction, and hospitality; and

23 WHEREAS, global talent is also driving growth in Georgia's high-producing STEM (science,
24 technology, engineering and math) industries, where 22 percent of workers are foreign-born;
25 and

26 WHEREAS, global talent is particularly important to Georgia's health care system. Nearly
27 one-fifth of all Georgia doctors and health aides are foreign-born, and the state is in great
28 need of more qualified medical professionals to address work force shortages, particularly
29 in the rural areas; and

30 WHEREAS, hardworking foreign-born Georgians across all sectors paid nearly \$10 billion
31 in federal, state, and local taxes and held more than \$26 billion in spending power in 2018;
32 and

33 WHEREAS, foreign-born Georgians have never been more essential to the state than during
34 the current COVID-19 pandemic, serving in disproportionate numbers in frontline jobs in
35 hospitals and assisted living facilities, farms and food processing plants, warehouses and
36 delivery services, and more; and

37 WHEREAS, the pandemic has negatively impacted Georgia's economy, and it is in the state's
38 interest to find innovative ways to spark economic growth and create a sustainable recovery;
39 and

40 WHEREAS, there is tremendous untapped potential in the state's growing global work force;
41 and

42 WHEREAS, industries across the state are rapidly adapting to changes in technology and an
43 evolving economy, and strategic support is needed to ensure Georgia has a skilled work force
44 to support current and future needs; and

45 WHEREAS, Georgia can maximize global talent and provide greater prosperity for all
46 Georgians by identifying and removing barriers to full economic participation that no longer
47 serve the state.

48 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

49 (1) **Creation of House study committee.** There is created the House Study Committee
50 on Innovative Ways to Maximize Global Talent in Georgia.

51 (2) **Members and officers.** The committee shall be composed of five members of the
52 House of Representatives to be appointed by the Speaker of the House of
53 Representatives. The Speaker shall designate a member of the committee as chairperson

54 of the committee. The committee shall include one member of the business community
55 and one member from the foreign-born community with relevant experience or expertise.

56 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
57 issues, and problems mentioned above or related thereto and recommend any action or
58 legislation which the committee deems necessary or appropriate. In particular, the
59 committee shall:

60 (A) Review best practices for maximizing global talent, with a focus on education,
61 training, occupational licensing, and small business development.

62 (B) Assess the greatest areas of need for Georgia business and identify solutions to
63 improve access to global talent.

64 (C) Solicit input from governmental and nongovernmental stakeholders across the
65 state, including members of Georgia's business community and its foreign-born
66 communities.

67 (D) Develop specific recommendations to strengthen Georgia's economy by enabling
68 Georgia's foreign-born communities to contribute to the economy to the fullest extent
69 possible.

70 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
71 may conduct such meetings at such places and at such times as it may deem necessary or
72 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
73 accomplish the objectives and purposes of this resolution.

74 (5) **Allowances and funding.**

75 (A) Members of the committee who are members of the General Assembly shall
76 receive the allowances provided for in Code Section 28-1-8 of the Official Code of
77 Georgia Annotated.

78 (B) The allowances authorized by this resolution shall not be received by any member
79 of the committee for more than five days unless additional days are authorized. Funds

80 necessary to carry out the provisions of this resolution shall come from funds
81 appropriated to the House of Representatives.

82 **(6) Report.**

83 (A) In the event the committee adopts any specific findings or recommendations that
84 include suggestions for proposed legislation, the chairperson shall file a report of the
85 same prior to the date of abolishment specified in this resolution, subject to
86 subparagraph (C) of this paragraph.

87 (B) In the event the committee adopts a report that does not include suggestions for
88 proposed legislation, the chairperson shall file the report, subject to subparagraph (C)
89 of this paragraph.

90 (C) No report shall be filed unless the same has been approved prior to the date of
91 abolishment specified in this resolution by majority vote of a quorum of the committee.
92 A report so approved shall be signed by the chairperson of the committee and filed with
93 the Clerk of the House of Representatives.

94 (D) In the absence of an approved report, the chairperson may file with the Clerk of the
95 House of Representatives, a copy of the minutes of the meetings of the committee in
96 lieu thereof.

97 **(7) Abolishment.** The committee shall stand abolished on December 31, 2021.

VIRGINIA - Workforce Survey/Study

H.B. 180

- Improving participation of refugees in Virginia's workforce -

Summary

Passed during 2021 Legislative Session

This amendment directs the Chief Workforce Officer to convene a workgroup to study and offer recommendations to improve the participation of recent refugees in Virginia's workforce.

[Read Details](#)

H.B. 180 Text

The Office of the Chief Workforce Advisor shall convene a workgroup that includes representatives from the Departments of Education, Social Services, Professional and Occupational Regulation, Health Professions; the Health Workforce Development Authority; Office of Diversity, Equity, and Inclusion; the Virginia Community College System; Commonwealth Catholic Charities, Catholic Charities; Migration and Refugee Services; International Rescue Committee; Church World Services; Lutheran Social Services; Ethiopian Development Council; NoVA Friends of Refugees; ReEstablish Richmond; local one-stop career centers that have experience serving refugees; an employer; and at least one refugee or special immigrant visa holder. The workgroup shall identify barriers that recent refugees in Virginia face to entering the workforce; assess participation in adult education and workforce training programs; compare, to the extent practicable, the current employment of recent refugees to that of their employment, including any occupational and professional credentials and academic degrees earned, prior to resettling in the United States; and identify the top occupations that recent refugees seek to work in in Virginia and make recommendations for addressing any barriers that prevent them from using their work experience gained outside of the United States to obtaining employment in these occupations in Virginia.

VIRGINIA STATE BUDGET

2021 Session

Budget Amendments - HB1800 (Member Request)

By Member » Item 52 #5h

Chief Patron: Tran

Improving Participation of Refugees in Virginia's Workforce (language only)

Item 52 #5h

Executive Offices

Office of the Governor

Language

Page 47, after line 28, insert:

"G. The Office of the Chief Workforce Advisor shall convene a workgroup that includes representatives from the Departments of Education, Social Services, Professional and Occupational Regulation, Health Professions; the Health Workforce Development Authority; Office of Diversity, Equity, and Inclusion; the Virginia Community College System; Commonwealth Catholic Charities, Catholic Charities; Migration and Refugee Services; International Rescue Committee; Church World Services; Lutheran Social Services; Ethiopian Development Council; NoVA Friends of Refugees; ReEstablish Richmond; local one-stop career centers that have experience serving refugees; an employer; and at least one refugee or special immigrant visa holder. The workgroup shall identify barriers that recent refugees in Virginia face to entering the workforce; assess participation in adult education and workforce training programs; compare, to the extent practicable, the current employment of recent refugees to that of their employment, including any occupational and professional credentials and academic degrees earned, prior to resettling in the United States; and identify the top occupations that recent refugees seek to work in in Virginia and make recommendations for addressing any barriers that prevent them from using their work experience gained outside of the United States to obtaining employment in these occupations in Virginia."

Explanation

(This amendment directs the Chief Workforce Officer to convene a workgroup to study and offer recommendations to improve the participation of recent refugees in Virginia's workforce.)

MASSACHUSETTS - Workforce Development Budgetary Amendment

- Teaching programs for nurse assistants and I.T. specialists -

Full Text

Passed in 2021

Official amended language: Mr. Collins moves that the proposed new text be amended moves to amend the bill in line #####-##### by inserting: "provided further, that not less than \$5,000,000 of said funds shall be allocated for the Catholic Charities Laboure Center in South Boston to respond to the needs of underserved communities negatively impacted by COVID through capacity building across the Agency; including but not limited to growth in behavioral health services, basic needs case management, food insecurity, refugee resettlement, adult education, and workforce development with teaching programs for nurse assistants, and I.T. specialists."

UTAH - Licensure by Endorsement

In progress for the upcoming session

- Occupational and professional licensing modifications -

Summary

A bill is drafted for the 2022 general session

This bill modifies provisions related to licensed professions.

[Read Details](#)

Draft Bill Digest

"This bill...modifies the Division of Occupational and Professional Licensing's (division) authority to grant a license by endorsement..."

Please note: While this bill contains several provisions, only the licensure by endorsement provisions are included below. Full text can be viewed by clicking the above "Read Details" button.

217 safety of the public.

218 (B) "Competency-based licensing requirement" may include any combination of
219 training, experience, testing, or observation.

220 (ii) (A) "Time-based licensing requirement" means a specific number of hours, weeks,
221 months, or years of education, training, supervised training, or other experience that an
222 applicant for licensure under this title is required to complete before receiving a license under
223 this title.

224 (B) "Time-based licensing requirement" does not include an associate degree, a
225 bachelor's degree, or a graduate degree from an accredited institution of higher education.

226 (b) Subject to Subsection (5)(c), for an occupation or profession regulated by this title
227 that has a time-based licensing requirement, the director, after consultation with the appropriate
228 board, may by division rule made in accordance with Title 63G, Chapter 3, Utah
229 Administrative Rulemaking Act, allow an applicant to complete a competency-based licensing
230 requirement as an alternative to completing the time-based licensing requirement.

231 (c) If a time-based licensing requirement involves a program that must be approved or
232 accredited by a specific entity or board, the director may only allow an applicant to complete a
233 competency-based licensing requirement as an alternative to completing the time-based
234 licensing requirement under Subsection (5)(b) if the competency-based requirement is
235 approved or accredited by the specific entity or board as a replacement or alternative to the
236 time-based licensing requirement.

237 (d) By October 1 of each year, the director shall provide a written report to the
238 Occupational and Professional Licensure Review Committee describing any competency-based
239 licensing requirements implemented under this Subsection (5).

240 Section 4. Section **58-1-302** is amended to read:

241 **58-1-302. License by endorsement.**

242 (1) Subject to Subsections [~~(2), (3), (4), and (5)~~] (3) through (6), the division shall
243 issue a license [~~without examination~~] to a person who has been licensed in a state, district, or
244 territory of the United States if:

245 (a) after being licensed outside of this state, the person has at least one year of
246 experience in the state, district, or territory of the United States where the license was issued;

247 (b) the person's license is in good standing in the state, district, or territory of the

248 United States where the license was issued; and

249 (c) the division determines that the license issued by the state, district, or territory of
250 the United States encompasses a similar scope of practice as the license sought in this state.

251 (2) Subject to Subsections (3) through (6), the division may issue a license to a person
252 who:

253 (a) has been licensed in a state, district, or territory of the United States, or in a
254 jurisdiction outside of the United States, if:

255 (i) (A) after being licensed, the person has at least one year of experience in the
256 jurisdiction where the license was issued; and

257 (B) the division determines that the person's education, experience, and skills
258 demonstrate competency in the occupation or profession for which the person seeks licensure;

259 or

260 (ii) the division determines that the licensure requirements of the jurisdiction at the
261 time the license was issued were substantially similar to the current licensure requirements of
262 this state; or

263 (b) has never been licensed in a state, district, or territory of the United States, or in a
264 jurisdiction outside of the United States, if:

265 (i) the person was educated in or obtained relevant experience in a state, district, or
266 territory of the United States, or a jurisdiction outside of the United States; and

267 (ii) the division determines that the education or experience was substantially similar to
268 the current education or experience requirements for licensure in this state.

269 ~~[(2)]~~ (3) The division, in consultation with the applicable licensing board, may make
270 rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
271 prescribing the administration and requirements of this section.

272 ~~[(3) Notwithstanding the provisions of Subsection (1), the]~~

273 (4) The division may refuse to issue a license to a person under the provisions of this
274 section if:

275 (a) the division determines that there is reasonable cause to believe that the person is
276 not qualified to receive a license in this state; or

277 (b) the person has a previous or pending disciplinary action related to the person's
278 license.

279 [(4)] (5) Before a person may be issued a license under this section, the person shall:

280 (a) pay a fee determined by the department under Section 63J-1-504; and

281 (b) produce satisfactory evidence of the person's identity, qualifications, and good
282 standing in the occupation or profession for which licensure is sought.

283 [(5)] (6) In accordance with Section 58-1-107, licensure endorsement provisions in this
284 section are subject to and may be supplemented or altered by licensure endorsement provisions
285 or multistate licensure compacts in specific chapters of this title.

286 [(6)] (7) On or before October 1, 2022, the division shall provide a written report to the
287 Business and Labor Interim Committee regarding the effectiveness and sufficiency of the
288 provisions of this section at ensuring that persons receiving a license without examination
289 under the provisions of this section are qualified to receive a license in this state.

290 Section 5. Section **58-3a-302** is amended to read:

291 **58-3a-302. Qualifications for licensure.**

292 (1) Except as provided in Subsection (2), each applicant for licensure as an architect
293 shall:

294 (a) submit an application in a form prescribed by the division;

295 (b) pay a fee determined by the department under Section 63J-1-504;

296 (c) have graduated and received an earned bachelors or masters degree from an
297 architecture program meeting criteria established by rule by the division in collaboration with
298 the board;

299 (d) have successfully completed a program of diversified practical experience
300 established by rule by the division in collaboration with the board;

301 (e) have successfully passed examinations established by rule by the division in
302 collaboration with the board; and

303 (f) meet with the board or representative of the division upon request for the purpose of
304 evaluating the applicant's qualifications for license.

305 (2) Each applicant for licensure as an architect by endorsement shall:

306 (a) submit an application in a form prescribed by the division;

307 (b) pay a fee determined by the department under Section 63J-1-504;

308 (c) submit satisfactory evidence of:

309 (i) (A) current licensure in good standing in a jurisdiction recognized by rule by the