



# TZEDEK DC

Legal Help for People in Debt

**Public Hearing on Bill 25-312, “Health Professional Licensing Boards Residency Requirement Amendment Act of 2023”  
Before the Committee on Health  
July 13, 2023**

Good morning, Chairperson Henderson and members and staff of the Committee on Health. Thank you for the opportunity to testify today on Bill 25-312, the Health Professional Licensing Boards Residency Requirement Amendment Act of 2023. I am Melissa Millar, Policy Director for Tzedek DC. Headquartered at UDC, Tzedek DC’s mission is to safeguard the legal rights and financial health of DC residents with low incomes dealing with the often-devastating consequences of abusive debt collection practices and other consumer-related issues. We carry out our mission with the goal of addressing racial gaps in wealth and equity and offer direct legal and financial counseling services at no cost to DC residents within 400% of federal poverty guidelines.

Bill 25-312 would:

- Reduce the number of required DC resident health professional Board members;
- Require that health professional Board members be licensed for the regulated occupation and have been engaged in the practice of the Board’s regulated occupation for three years preceding their appointment;
- Require that non-District resident health professional Board members be engaged in the practice of the regulated occupation in the District while serving on the Board; and
- Require that the Board Chair and consumer members be District residents.

We support expanding opportunities for health professionals to serve their profession and their colleagues through Board service and offer the following comments for Council to consider.

In the statement of introduction for the legislation, it noted that several of DC’s Health Licensing Boards oversee only a fraction of license-holders who are also District residents. The memo listed 19 Boards that, each, had no more than 40% District residents under its purview, with a District resident licensee average across those 19 Boards of only 19%. Each of the District’s Health Professional Boards have different application and documentation processes, but by law, DC Code § 47-2862 prohibits the issuance of any licenses or permits by the District government if the applicant, among other things, owes the District more than \$100 in past due taxes or more than \$100 in outstanding fines, penalties or interest. This application of the District’s “Clean Hands” law to health occupational licensing specifically prevents people with debt of over \$100 from being able to practice in the District. In fact, the District may now be finding itself with the need to expand Board service to non-residents, in part because it limits DC residents’ access to

occupational licenses if they owe the DC government small debts, preventing them from practicing and thus being able to meet the 3-year active service requirement.

At Tzedek DC, we have been seeking to reform the Clean Hands law as it is applied to people seeking to access work and business opportunities. In recent weeks, the District has stopped applying the Clean Hands law to the obtaining and renewal of driver's licenses, a change that will have a positive impact on Tzedek DC's clients and tens of thousands of other District residents, enabling them to once again have access to vehicles to take them to jobs, take their children to day care and school, and live fuller lives. Yet Tzedek DC has other clients who continue to be prevented from becoming licensed in the District in occupations, including health occupations, due solely to debts owed to DC government.

One particular client is a District resident and a fully-licensed speech language pathologist who provides services in both Maryland and Virginia. However, she is unable to be licensed in the District and provide services to her community in Ward 7 due solely to debts owed to the DC government. We note that the DC Health chart provided in the statement of introduction listed the Board of Audiology and Speech Language Pathology as having only 31% of its overall licensees as District residents. Here, a willing and able practitioner remains unable to provide much needed services to her community, instead needing to leave her home jurisdiction for more favorable licensing conditions elsewhere to provide services to their communities. But for Clean Hands, our client would be providing speech language pathology services to communities East of the River and throughout the District.

And for others who find themselves in the same circumstances as our client, the changes proposed by this bill will not afford them any additional opportunity to practice or to serve. Being denied the right to practice today due to a debt subject to Clean Hands means the clock cannot toll the 3 required years of in-District practice required for Board service. While the DC Code clearly gives the District government the authority to deny the issuance of a license for a debt owed, the bill is effectively favoring out-of-jurisdiction practitioners who have paid their debts to the District over District residents who are unable to pay their debts.

We recommend that the Committee consider revising the Clean Hands law (D.C. Code § 47-2861 *et seq*) to prevent the type of disqualification experienced by our client and likely countless other qualified District residents. The District is the only jurisdiction in the greater-DC region to automatically disqualify individuals from obtaining occupational and small business licenses due to small, unpaid debts like parking and traffic tickets, and as a result, our resident practitioners are providing services to Marylanders and Virginians, and *not* District residents. We applaud the intent of this bill before this Committee today but believe the true solution to this problem is eliminating the Clean Hands prohibition on licensing for our health professionals.

Thank you for the opportunity to testify and I am happy to answer any questions you may have.