



Sherry Dorsey Walker
STATE REPRESENTATIVE
3rd District

HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
411 LEGISLATIVE AVENUE
DOVER, DELAWARE 19901

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House Sunset Committee Meeting Minutes

6.07.23

This committee meeting has been recorded and may be accessed via legis.delaware.gov

Chair Dorsey Walker called the meeting to order at 1:05p.m. Members present included Reps. Johnson, Selby, and Spiegelman. For a list of guests present, please see the attendance list below.

Chair Dorsey Walker introduced **HB 129 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS.**

Chair Dorsey Walker invited Rep. Gray to speak on the contents of the proposed bill.

Rep. Gray explained that this bill aims to adjust the Delaware Code for the Delaware Association of Professional Engineers. He explained there are board members present willing to offer testimony. He explained this act adds new definitions which will provide clarity and guidance in determining whether a license is subject to discipline. He added eliminating this license will remove unnecessary barriers to licensure.

Chair Dorsey Walker opened the floor for questions from committee members.

Rep. Parker Selby asked why such a bill was initiated.

Rep. Gray explained that this bill intends to protect engineers and make things a bit easier for them.

With permission from the Chair, Rep. Gray invited Charles McAllister to address the committee.

Charles McAllister of the Council of professional engineers explained that the original law stated that if an individual took the exam and failed it four times they have to meet the other requirements. But the National Council of Examiners for Engineers and Surveys are not recommending this any longer as it has proven to be insufficient. He added most states no longer implement this requirement.

Rep. Spiegelman asked what they did before this definition of incompetence and negligence. He then asked what would happen going forward.

Charles McAllister explained that the terms were in the act. He explained that before these terms were defined by law, they relied on dictionary definitions.

Chair Dorsey Walker then opened the floor to public comment. Seeing none, she requested a motion.

A motion was made by Rep. Johnson and seconded by Rep. Selby to release HB 129 from the committee; the motion was carried. Yes= 5 (Dorsey Walker, Johnson, Selby, and Spiegelman); No= 0; Absent= 1 (Collins). The bill was released from the committee with a F=2, M=3, U=0 vote.

Chair Dorsey Walker introduced **SB 80 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO IMMIGRATION STATUS REQUIREMENTS FOR PROFESSIONAL LICENSES.**

Chair Dorsey Walker outlined the components of the proposed bill. She explained this bill codifies the current process in Delaware of not requiring proof of citizenship or specific immigration status for an application for a professional license. She added this bill brings Delaware into compliance with federal requirements in place since 1996. She then called upon an expert witness and attorney Lisa Goodman. She concluded by stating this bill has bipartisan support.

Lisa Goodman emphasized this bill codifies existing practices. She explains currently Delaware does issue professional licenses, but they do not have state-level law that resembles existing federal law. This legislation serves as a technical correction to place us on the right side. In addition, this law will work towards expanding the workforce in Delaware.

Chair Dorsey Walker opened the floor for questions from committee members.

Rep. Spiegelman asked if this changed any requirements for a professional license.

Lisa Goodman assured Rep. Spiegelman that individuals must be fully trained and qualified to obtain licenses.

Rep. Spiegelman referenced how the bill states that a non-citizen attempting to obtain a professional license may provide either an alternative personal identifying number or complete a social security exemption. The bill later on states that these numbers are not a matter of public record and the state can only disclose them under certain circumstances. He then asked if there were any other circumstances for the state to give out those numbers and if those numbers could be subpoenaed.

Lisa Goodman stated that she is not equipped to answer these questions and asked a more qualified individual to address these questions.

Chair Dorsey Walker asked the drafting attorney to address the question.

Deborah Gottschalk of the Division of Research addressed these questions and explained that the reason it repeats is that the second section of the bill amends the power and authority of the division of professional regulation. She explained that this exception is included because this exists in other aspects of the law.

Rep. Spiegelman asked if that information could be obtained through a warrant or a subpoena.

Shauna Slaughter of the Division of Professional Regulation explained that when they receive subpoenas they are reviewed by the legal counsel and if deemed appropriate they would release whatever documents including social security numbers via subpoena.

Chair Dorsey Walker then opened the floor to public comment.

Sarah Stowens from Christiana Care spoke in support of this bill. She explained that healthcare across the nation is facing unprecedented workforce challenges. She added this legislation is a smart policy that ensures any person with the appropriate education and training can still be licensed while still preserving the safety and quality of the care we have come to expect from our community.

Nicole Freedman of the Midatlantic Association Community Health Centers voiced her company's support for this legislation. She explained that the health centers she represents treat a diverse patient population. She added that research has shown that fostering a diverse workforce improves the quality of care and patient communication and satisfaction. She emphasized the importance of codifying existing practices through will strengthen Delaware's healthcare workforce.

Christina Bryan of the Delaware Healthcare Association echoed the importance of this legislation. She added that Delaware has a high percentage of an elderly population and that this is a great tool to address the issue.

A motion was made by Rep. Spiegelman and seconded by Rep. Selby to release SB 80 from the committee; the motion was carried. Yes= 5 (Dorsey Walker, Johnson, Selby, and Spiegelman); No= 0; Absent= 1 (Collins). The bill was released from the committee with a F=4, M=1, U=0 vote.

Chair Dorsey Walker adjourned the meeting at 1:34p.m.

Respectfully submitted by:

Khazra Fatima, Legislative Fellow

Attendance List

- Charles McAllister
- Lisa Goodman
- Deborah Gottschalk
- Shauna Slaughter
- Sarah Stowens
- Nicole Freedman
- Christina Bryan