

# Barriers to Work:

## Improving Access to Licensed Occupations For Immigrants with Work Authorization

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Immigrants make up 13.5 percent of the U.S. population and 17 percent of the U.S. workforce.

Foreign-trained workers and U.S.-trained immigrants are filling key niches in the U.S. labor force, alleviating shortages in certain sectors such as health care, where one in six health care professionals overall is foreign-born. Nearly 28 percent of physicians and surgeons and 24 percent of direct-care workers in areas such as nursing, psychiatry and home health are foreign-born.<sup>1</sup>

Certain occupations are estimated to be growth areas for the U.S. economy, in part due to people retiring from the workforce and requiring more health care and other services. Health care occupations, for example, are estimated to account for nearly one-fourth of newly created jobs in the U.S.

Immigrant professionals often face difficulty in obtaining recognition for foreign education or credentials, frequently requiring them to obtain an occupational license in the U.S. state in which they live and wish to work. This can leave immigrant professionals under- or unemployed.

The federal government sets the conditions for immigrants to live and work in the United States and issues visas for both permanent and temporary employment. Employers may sponsor those with special skills for permanent residence. Foreign workers may also apply for temporary employment-based visas, for example, the H-1B visa for specialty occupations (e.g., high tech) or the J-1 physician visa. State governments retain the power to establish regulations for the practice of a profession or occupation, which can include a system of licensing.

This brief is focused on immigrant professionals who are authorized to work by the federal government and highlights innovative state approaches to overcoming employment barriers, particularly in licensing and credentialing.

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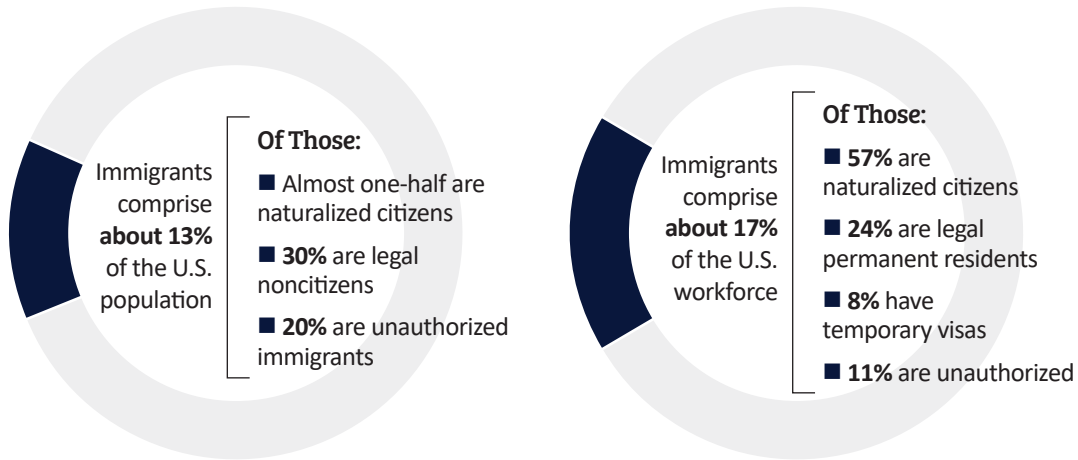
### What is an occupational license?

An occupational license is a credential that government—most often states—requires a worker to hold in certain occupations. Aspiring workers must meet state-specific educational, training, testing and other requirements to practice in a licensed profession.



Occupational licenses are mandatory in the relevant jurisdiction, intended to set professional standards and ensure safety and quality of work, and are time-limited. Violation of the terms of the license can result in legal action.

# Demographic and Economic Information

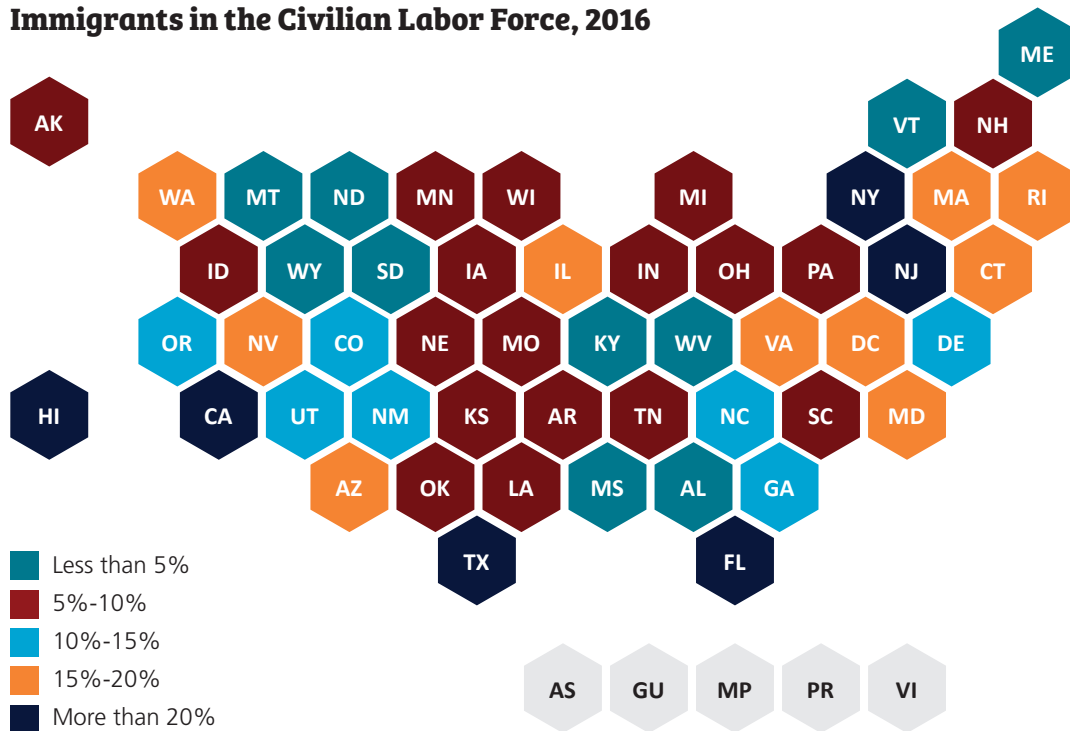


Of the 45.6 million college graduates in the U.S. labor force,

**7.6 million**  
are foreign-born. Of those,  
**25 percent**

were in low-skilled jobs or unemployed.

## Immigrants in the Civilian Labor Force, 2016



Source: Migration Policy Institute

## Immigration to the United States: Worker Visas

Lawful permanent residents (“green card holders”) are granted admission for permanent residence to the U.S. based on family relation or job skill. A worldwide limit of 675,000 visas is allowed annually for family (480,000), employment (140,000) and diversity (55,000) visas. All applicants must meet U.S. admission requirements. The U.S. also accepts refugees for resettlement, who must apply for permanent resident status after 12 months.<sup>2</sup>

In 2016, almost 1.2 million foreign nationals were admitted to the U.S. as lawful permanent residents. The visa allocation was approximately 68 percent for family visas, 12 percent for employment visas, 10 percent for humanitarian reasons (refugees), 4 percent for diversity visas and 6 percent other (parolees and asylees).<sup>3</sup>

Employers may petition to bring individuals with special skills into the U.S. at a yearly limit of 140,000. There are five preferences for permanent employment visas:

- **First:** 40,000 visas for priority workers with “extraordinary” or “outstanding” ability in certain fields (arts, science, education, business or athletics)
- **Second:** 40,000 visas for persons with advanced degrees or “exceptional” abilities in sciences, art or business
- **Third:** 40,000 visas for skilled workers in fields with labor shortages
- **Fourth:** 10,000 visas for “special” immigrants, including religious workers
- **Fifth:** 10,000 visas for investors<sup>4</sup>

Temporary immigrants, known as “nonimmigrants” in U.S. law, are those allowed to enter the U.S. for a specific purpose and for a temporary or limited period, and unless specifically authorized, are not permitted to work in the United States. Nonimmigrant visas are issued for 87 subcategories within 24 major categories, including short-term visitors (tourists), students, business visitors, diplomats, and temporary agricultural and nonagricultural workers.<sup>5</sup>

In 2016, the U.S. Department of State issued 10.4 million nonimmigrant visas: The largest groups included 8 million tourism and business visas, 883,000 for temporary workers, 513,000 for students, and 380,000 for cultural exchange visitors.<sup>6</sup>

Examples of visas for temporary skilled workers include:

- H-1B visas are for highly educated professionals to work in specialty occupations, often math, engineering or technology. These visas are capped at 85,000 visas per year. In 2017, the United States Citizenship and Immigration Services (USCIS) received 199,000 applications in the first five days of the filing period. Congress exempted universities, allowing an additional 20,000 visas for those with a U.S. master’s degree or higher. Visas are granted by a computer-generated random selection process, or “lottery” system.<sup>7</sup>
- J-1 physician visas allow nonimmigrants to participate in graduate medical education or training at a U.S. accredited school of medicine or scientific institution, or pursue programs involving observation, consultation, teaching or research (2,832 visas in 2017). J-1 visa holders must return home for two years after completing their program. The Conrad-30 program allows these physicians to stay if they practice medicine in an underserved area for at least three years. State departments of health can sponsor 30 J-1 international medical graduates each year in a federally designated shortage area.<sup>8</sup>



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## Health Care and Immigrants

Immigrants represent a disproportionate share of health professionals<sup>9</sup>

- **28 percent** of physicians and surgeons
- **40 percent** of medical scientists in manufacturing research and development
- **22 percent** of nursing, psychiatric and home health aides
- **15 percent** of registered nurses
- **28 percent** of in-home care aides

Registered nursing is one of the top occupations in job growth through 2024. Fifty-five percent of the registered nursing workforce is age 50 or older. The Health Resources and Services Administration predicts more than 1 million registered nurses will reach retirement in the next 10 to 15 years.<sup>10</sup>

- The American Medical Association estimates a physician shortage of 46,000 to 90,000 physicians by 2025.<sup>11</sup>
- By 2020, more than 1.3 million additional direct care workers will be needed.

### From The Chicago Council on Global Affairs<sup>12</sup>

“Foreign-born healthcare professionals who have completed their training overseas face complicated,

inconsistent reaccreditation processes in the United States, leaving many unable to practice in their fields.”

### The Little Hoover Commission

The Milton Marks “Little Hoover” Commission on California State Government Organization and Economy is an independent state oversight agency with appointments from the governor, the Legislature and the public. Its 2016 report on strategies to ease licensing barriers noted that immigrants may have the skill set but the licensing board may be unable to translate the foreign education and experience to the board’s requirements. The commission has pushed for changes in licensing systems and created models that “get people working,” including a medical service technician-to-registered nurse model and an apprenticeship program.<sup>13</sup>

## Impacts of Occupational Licensing

Nearly two million highly skilled immigrants are underemployed or working in low-skilled jobs instead of in their field, estimates the Migration Policy Institute. The “brain waste” results in \$40 billion in foregone wages annually and \$10 billion in lost federal, state and local tax payments.<sup>14</sup>

Immigrants may lack information about licensing requirements or have limited English language proficiency. State efforts, through licensing, credentialing, and streamlining or clarifying application processes can help immigrant professionals obtain higher income from better-paying jobs, resulting in increased spending and tax revenues.

A survey of 4,000 college educated immigrants by IMPRINT and WES Global Talent Bridge found that the top barriers to practicing their profession were:

- They lacked U.S. work experience (47 percent of respondents).
- The employer didn’t recognize foreign work experience (40 percent).
- The employer did not recognize foreign credentials (35 percent).<sup>15</sup>

This section addresses key barriers faced by skilled immigrants in obtaining licenses and credentials, including lack of recognition of foreign credentials, skill gaps and limited English proficiency.

## Policy Barriers to Employment

### LACK OF RECOGNITION OF FOREIGN CREDENTIALS

Immigrants may face obstacles gaining recognition for foreign education and training. For example, immigrants and refugees fleeing disasters or political instability often lack access to original transcripts and documents. Other foreign-educated immigrants may have transcripts and college degrees that are not recognized or translated properly in the United States if the grading systems are vastly different or misunderstood when judged on an American scale.<sup>16</sup> In many cases, immigrants face a Catch-22: Their experience is not recognized as credit toward a license, but they can’t get a job to gain U.S. experience without a license. This forces immigrants to start over in the American education system before moving into entry-level positions in a field they may have mastered in their country of origin.

### LACK OF KNOWLEDGE ABOUT LICENSING

Immigrant professionals often lack information about the requirements to re-enter their careers in the United States. Navigating state licensing can be complex, lengthy and expensive, or require training or supervision that is difficult to obtain. In addition, federally funded career centers and resettlement agencies focus on early employment and not long-term career goals.

### SKILL GAPS AND COSTS

Immigrants may have gaps in their training to meet U.S. qualifications and need to upgrade their skills to become competitive. For example, foreign-trained nurses may not meet all the curricula requirements and need to complete additional coursework. Foreign-trained professionals may also face a scarcity of courses in their field. There may not be any stand-alone courses to fill gaps unavailable outside of a degree program, or supervised training may be available only to current students. Work-authorized immigrants who are unable to work in the field for which they are most qualified may be forced to accept lower paid work in non-licensed positions, or repeat their degree and face the financial expense. These foreign-trained professionals may also be the sole earner in families, making a return to school or accepting an unpaid internship impractical.

### ENGLISH PROFICIENCY

While most of the 7.6 million foreign-born college graduates in the U.S. are proficient in English, 6 percent reported very low proficiency and 18 percent reported medium-level proficiency.<sup>17</sup> However, even among those who are proficient in English, technical vocabulary in their non-native language may be unfamiliar, making it more difficult to pass licensing. Federal- and state-funded English language classes do not offer classes at sufficiently advanced levels for immigrant professionals needing help.

# Policy Options

Occupational shortages across the country have spurred states to develop policies, laws and partnerships to tap the talents of their residents, to the benefit of both native-born and foreign-trained professionals. Examples of some common state approaches to licensing policy that impact immigrants with work authorization include task forces and offices to develop research and policy recommendations; modifying licensing requirements and making licensing more transparent; and addressing skills deficits and improving English language proficiency.

## Targeted Approaches

### TASK FORCES AND OFFICES TO DEVELOP RESEARCH AND POLICY RECOMMENDATIONS

Each state faces unique workforce and demographic challenges. To account for the specific needs of their populations, some states have created programs or task forces to identify key areas for reform and craft individualized policy recommendations.

- **Examples:** Minnesota was facing physician shortages, an aging and diverse population, persistent health disparities and rising health care costs. To address these issues, the Legislature created a Foreign-Trained Physician Task Force in 2014 to address barriers to practice and assist immigrant international medical graduates in integrating into the Minnesota health care delivery system. Task force recommendations included creating a statewide council; an assessment of readiness; a Minnesota certificate of clinical readiness; apprenticeships; new licensing options; residency positions for immigrants willing to serve in rural areas; and partnerships among state government, physician employers and philanthropy to invest in immigrant physicians and implement the task force recommendations. The law authorized \$500,000 in 2016 and in 2017 for the health care access fund and required an annual report on progress and recommendations. In 2015, a budget law appropriated \$35,000 to implement a program to assist foreign-born students and groups underrepresented in nursing to succeed in post-secondary nursing programs.

The Maryland Skilled Immigrants Task Force is composed of public and private workforce development organizations that seek to bring foreign-trained immigrants to the United States to meet local job market demands. The consortium consists of representatives from the Maryland Department of Human Resources, Maryland Department of Labor Licensing and Regulation, community colleges, refugee resettlement agencies, American Job Centers, the Governor's Office of Community Initiatives and many nonprofit organizations that help integrate immigrants. The consortium believes, "The State of Maryland can lead the way in creating a win-win environment in which immigrants secure jobs matching their professional and educational backgrounds while helping the business community more readily meet its workforce needs."<sup>18</sup>

Governors in Illinois, Michigan and North Carolina have created programs such as welcoming centers for employment, training and education, and career re-entry services for foreign-trained professionals to expand and improve their local workforce and economy.

### MODIFYING LICENSING REQUIREMENTS

States have passed legislation and created offices to modify the requirements for licensure. Their goal is to facilitate licensing of foreign-trained professions and/or improve transparency of the licensing process through online guides.

- **Examples:** Utah allows occupational therapists and occupational therapy assistants to be licensed if they meet the licensing requirements or have been licensed in a foreign country and pass an applicable examination. South Dakota enacted legislation allowing any foreign-trained or other graduate from a dental program not accredited by the American Dental Association Commission on Dental Accreditation to apply for a license to practice as a dentist or dental hygienist.

The Michigan Department of Licensing and Regulatory Affairs and the Office of New Americans



partnered with Upwardly Global to provide online licensing guides for 44 professions. The guides are designed to help skilled immigrants and refugees meet Michigan’s licensing requirements and promote Michigan as a destination for skilled immigrants.<sup>19</sup>

Maryland is working with WES’s Skilled Immigrant Integration Program to develop tangible licensing or career pathway guides for immigrants and engage local employers. WES offers free, customized technical assistance to three states (Maryland, Michigan and Ohio), five cities (Denver, Louisville, Ky; Santa Clara, Calif; St. Louis and Boise, Idaho) and two regions (Twin Falls, Idaho and Salt Lake City, Utah).<sup>20</sup> WES partners include government agencies, employers, community colleges and service providers to create a sustainable platform for collaboration focused on the integration of skilled immigrants.

### **ADDRESSING SKILL GAPS AND ENGLISH LANGUAGE PROFICIENCY**

Federal, state and private resources are available to assist foreign professionals in improving English proficiency and upgrading technical skills to meet state licensing requirements. These programs focus on vocational or workplace English language training, or advanced English as a Second Language (ESL), which is distinct from ESL for beginners or low literacy levels.

- **Examples :** The California Workforce Development Board developed a guide on the federal Workforce Innovation and Opportunity Act (WIOA), funding opportunities, best practices and partnerships to better serve English language learners and create career pathways for them.<sup>21</sup> WIOA’s reauthorization in 2014 allowed, for the first time, adult education and language services to be provided to immigrant professionals with foreign-earned degrees and credentials.

The Michigan Office for New Americans created the Michigan International Talent Solutions Program (MITS) program in 2015 to support skilled immigrants with permanent work authorization to re-enter their professional careers.<sup>22</sup> MITS partnered with Upwardly Global to train international job seekers and connect them with employers, particularly in fields related to science, technology, engineering and math. Services include customized individual and online job search training, networking and marketing skills, and interview skills and preparation.

Washington’s Integrated Basic Education and Skills Training Program (I-BEST) combines job training skills with reading, math and English language.<sup>22</sup>

Upwardly Global created a partnership with Google and Coursera to make tech training available.<sup>23</sup>

# Conclusion

Changing demographics, driven by retirements from the baby boomer generation and regional or seasonal labor shortages, are motivating states to find ways to expand opportunities and streamline licensing for foreign-trained professionals. These skilled immigrants, with legal residency through family, employment, refugee status or other federal permission, provide an opportunity for states to encourage economic development and stabilize tax revenues.

States are looking at models that address under- and unemployment by recognizing foreign work experience, supporting U.S. work experience, accepting foreign credentials, addressing skill deficits, and improving English language proficiency.

State efforts include creating taskforces; partnering with nonprofit organizations to better support skilled immigrants with licensing, education and skill deficits; and setting aside funding to provide immigrants with more English training.

States can also partner with educational institutions such as community colleges to create programs that allow immigrant professionals to obtain American education experience that can pave a pathway for work opportunities. By creating a local bridge for these populations to access education and work, they will be able to further integrate themselves into the job market and address underlying shortages that are industry-specific.

States can also initiate partnerships with companies and employers to evaluate and encourage trained immigrant professionals to re-enter their fields as another way to create job pathways. In states that are experiencing job shortages, this would allow immigrant populations to re-establish themselves in their field of expertise while filling occupational shortages. Employers can also be encouraged to provide on-site vocational English and help immigrants upgrade their skills.

As state policymakers assess their changing demographics and local drivers of economic growth, the skills and talents of immigrant professionals residing in the U.S. can provide a piece of the workforce puzzle. Immigrant professionals are filling labor shortages and helping local businesses grow. Creative responses—such as targeted education and training, reducing credentialing and licensing barriers, and partnerships with federal, private-sector and nonprofit partners—can improve family income, local and regional economies, and business development.



## Selected Recent Actions in the States

State	Type	Description	Date
CA	Legislation, enacted	S.1159—Allows the state professional licensing board to accept an individual tax identification number (ITIN) in addition to a Social Security number on an application for a professional license.	9/28/2014—Signed
CA	Legislation, enacted	A.1111—Creates a grant program to provide individuals with barriers to employment the services they need to enter, participate in and complete broader workforce preparation, training and education programs aligned with regional labor market needs. The law also specifies that people completing these programs should have the skills and competencies to successfully enter the labor market, retain employment and earn wages that lead to self-sufficiency and economic security. This law includes immigrants in the populations eligible to be served by the funded grants.	10/15/2017—Signed
CA	Legislation, pending	A.827—Proposes a task force to study and write a report of its findings and recommendations regarding the licensing of foreign-trained professionals, with the goal of integrating them into the state’s workforce.	6/1/2017—Introduced
CO	Resolution	HR.1004—Recognizes that “Dreamers” losing their work authorization would have devastating and far-reaching job-loss consequences for all Americans. Members of the Colorado House of Representatives urge Colorado’s congressional delegation to support efforts to find a collaborative and rational approach to passing a permanent legislative solution that allows Dreamers to secure legal status.	1/19/2018—Adopted
FL	Legislation, enacted	H.755—Allows admission to the Florida state bar if the person applying for a license arrived in the U.S. as a minor, has been present in the U.S. for more than 10 years, has employment authorization from the United States Citizenship and Immigration Services (USCIS), has a Social Security number (not an ITIN) and, if male, has registered for Selective Service.	5/14/2015—Signed
GA	Legislation, enacted	H.956—Provides uniform statewide regulation of veterinary practice and oversight of those practicing veterinary medicine. It allows faculty of a veterinary school or a graduate of a foreign college or school of veterinary medicine who is in the process of obtaining the appropriate certificate to perform duties or actions under the direct supervision of a licensed veterinarian.	5/8/2018—Signed
ID	Legislation, enacted	H.352—Enacts licensure exemptions for physicians, physician assistants, dietitians and athletic trainers who are licensed and in good standing in another jurisdiction or credentialed in another country if they are affiliated with an athletic team or performing arts company temporarily in the state.	3/1/2018—Signed

State	Type	Description	Date
ID	Legislation, enacted	H.81—Outlines regulations for requesting Idaho Conrad J-1 visa waivers for foreign-trained physicians. No more than 10 of 30 recommendations may be for physician specialists other than pediatrics, internal medicine, family medicine, obstetrics, gynecology, psychiatry or general surgery. Applications for specialists must demonstrate a need for the type of specialty held by the petitioning physician.	3/20/2017 – Signed
IL	Legislation, enacted	S.23—Allows Deferred Action for Childhood Arrival (DACA) recipients who have work authorization from the USCIS and who have fulfilled all other requirements to receive a license to practice law in the state of Illinois. No person can be prohibited from an attorney’s license because of citizenship status.	8/20/2015—Signed
IL	Executive Order	EO 15.01—Establishes the New Americans’ Welcoming Initiative, which operates 10 Welcoming Centers to offer community health, employment, training and education. Under this executive order, the Governor’s Office of New Americans is required to designate a liaison in each state agency that maintains records verifying residency to coordinate best practices, policies and procedures for those seeking administrative relief from the U.S. Citizenship and Immigration Services.	1/5/2015—Issued
IN	Legislation, enacted	S.419—Establishes that an individual who is authorized by the federal government to work in the United States is eligible for a professional or occupational license issued by a state agency or political subdivision. This applies to those who meet all the requirements, other than the requirement under 8 USC 1621(a), to obtain or renew the professional or occupational license. Professional licenses may be issued to citizens and qualified aliens, and those authorized by the federal government to work and are only applying for a professional or occupational license.	3/21/2018—Signed
LA	Legislation, enacted	H.305—Amends qualifications for licensure of foreign graduates as physical therapists. Applicants must 1) provide evidence that they successfully completed a foreign physical therapy education curriculum substantially equivalent to the requirements for physical therapists educated in accredited schools in the United States; 2) provide documentation satisfactory to the board of verification of professional or trade licenses, certifications and permits, held in any country, province or state, including the United States; and 3) achieve a passing score on a board-approved English proficiency examination if the applicant’s native language is not English. The law also establishes requirements for assistant physical therapists for foreign graduates and for those with military training.	8/1/2017—Signed

State	Type	Description	Date
ME	Legislation, pending	S.1492—Would establish an Office of New Mainers to attract, educate and retain new Mainers to strengthen the workforce. It requires the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation to assist immigrants with licensing and credentialing in trades and occupations. It would establish the Office of New Mainers advisory committee—with members from the executive and legislative branch and education, legal and economic development organizations—to advise the office on immigration and immigrants. The bill would establish a welcome center to educate and train immigrants focused on industries experiencing a shortage of trained workers.	4/19/2017—Introduced
MA	Legislation, pending	H.3248—Proposes a commission to study licensing of foreign-trained medical professionals with the goal of expanding medical services in rural and underserved areas.	1/23/2017 – Introduced
MI	Executive Order	EO 2014-2—Creates the Michigan Office of Immigrant Affairs to help propel Michigan’s comeback by attracting and retaining highly skilled immigrants.	1/31/2014
MN	Legislation, enacted	S.1340—Establishes a Foreign Trained Physician Task Force to integrate refugee and asylee physicians into the Minnesota health care delivery system. The task force will analyze demographics and identify costs of and barriers to integrating foreign-trained physicians into the state workforce. It will also identify possible funding and submit recommendations to the commissioner of health, who will report findings and recommendations to legislative committees by Jan. 15, 2015.	5/9/2014—Signed
MN	Legislation, enacted	S.1458—Appropriated \$500,000 in fiscal year 2016 and \$500,000 in fiscal year 2017 to create the international medical graduates assistance program to address barriers to practice. The program facilitates pathways to assist immigrant international medical graduates to integrate into the Minnesota health care delivery system, with the goal of increasing access to primary care in rural and underserved areas of the state. The Department of Health must report recommendations to the legislature by Jan. 15, 2017.	5/22/2015—Signed
MN	Legislation, enacted	S.5—Appropriated \$35,000 in fiscal year 2016 and \$35,000 in fiscal year 2017 to implement a program to assist foreign-born students and groups under-represented in nursing to succeed in post-secondary nursing programs.	5/22/2015—Signed

State	Type	Description	Date
MS	Legislation, enacted	H.708—Allows provisional licensed professional counselors to be licensed if they meet certain educational and exam requirements. The applicant must be a citizen of the United States, or have an immigration document that is current and issued by the United States Immigration Bureau to verify legal alien work status.	3/19/2018—Signed
MO	Legislation, enacted	S.716 & S.754—Establishes licensure for assistant physicians, defined as any medical school graduates who is a U.S. citizen or legal resident alien, has completed required steps of the U.S. Medical Licensing Examination but has not completed postgraduate residency in the United States, and is proficient in English.	7/10/2014—Signed
NE	Legislation, enacted	L.B. 947—Allows immigrants who are lawfully present in the U.S. and who have employment authorization from USCIS to obtain a professional or commercial license and practice his or her profession. The legislation was crafted to extend licenses to DACA recipients.	4/20/2016 –Veto overridden
NV	Legislation, enacted	A.B.27—Allows school districts to grant teachers’ licenses to immigrants possessing the skills or experience to address an area of concern for the school district, and applies the licensing to public and charter schools.	5/13/2015—Signed
NY	Regulation	New York Board of Regents issued a regulation to allow certain individuals who came to the United States as children and have attained legal status to apply for teacher certification and professional licenses from the State Education Department.	2/24/2016—Finalized
NC	Executive Order	EO 23.2017—Establishes an advisory council on Hispanic/Latino affairs to promote collaboration and effective planning and delivery of services. The council will report on accomplishments, barriers and recommendations for statewide policy initiatives specific to the Hispanic/Latino community.	10/5/2017—Issued
SD	Legislation, enacted	H. 1045—Allows any foreign-trained or other graduate from a dental program not accredited by the American Dental Association Commission on Dental Accreditation to apply for a license to practice as a dentist or dental hygienist. The State Board of Dentistry must establish requirements to ensure that an applicant’s training and education are sufficient for licensure.	2/6/2015—Signed

State	Type	Description	Date
UT	Legislation, enacted	S. 131—Establishes that the Division of Occupational and Professional Licensing may issue a license to an occupational therapist or therapy assistant applicant who has been licensed in a state, district, U.S. territory or foreign country where the education, experience or examination requirements are not substantially equal to Utah's, if the applicant passes the applicable examination.	5/12/2015—Signed
VT	Legislation, enacted	H. 684—Directs a study to examine means of reducing unnecessary barriers to professional licensure for qualified immigrants to Vermont from foreign countries. Also requires a report to the House and Senate Committees on Government Operations and recommendations for legislative action.	5/16/2018—Signed
WV	Legislation, enacted	H2005—Provides alternative certifications to teach, including a provision allowing a permit to teach in public schools to be granted to “an exchange teacher from a foreign country or an alien person who meets the requirements to teach.”	4/2/2015—Signed
WY	Legislation, enacted	H. 214—Repeals language requiring a bar applicant to be a U.S. citizen. Noncitizens seeking entry into the Wyoming state bar are allowed to do so if they meet all requirements.	4/12/2015—Signed
WY	Legislation, enacted	S. 111—Amends the Nurse Practice Act to expand the requirements needed to become an advanced practices registered nurse and be certified to practice. Those who graduated from a foreign institution and have received a certificate from a national certifying organization for graduates of foreign nursing schools that has been approved by the board may receive a one-time temporary permit.	4/8/2017—Signed

## Notes

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15. Amanda Bergson-Shilcock and James Witte, *Steps to Success: Integrating Immigrant Professionals in the U.S.* (New York City, New York: World Education Services, IMPRINT, 2015) \\vmfilewash\IMMIG\FUNDRAIS\Government\DOL licensing project 2017-2018\Steps to Success imprintproject.org\stepstosuccess
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## OCCUPATIONAL LICENSING: BARRIERS TO WORK SERIES

This series of four publications is part of the Occupational Licensing: Assessing State Policy and Research Project. These documents focus on the unique challenges and barriers specific to four population groups when they wish to enter a licensed occupation and practice a licensed occupation across state lines. Each report outlines specific state policy options to address the unique challenges faced by the individual population.

### Overview of Occupational Licensing

Occupational licensure is a form of government regulation that requires a worker to hold a credential to practice or operate in a certain occupation. To receive an occupational license, applicants are often required to meet specific criteria in the form of education or training, fees, and testing. Licensing boards generally granted the authority to establish these requirements and are the final arbiter of market entry for a licensed occupation. These boards are usually comprised of a combination of industry professionals and state officials.

Licensed workers now comprise nearly 25 percent of all employed Americans. States vary not only in the share of workers with a license, but also in the requirements to obtain a license in the state. While licensing laws were created with the intent of protecting public health and safety, research suggests that some licensing can have negative consequences for job growth, employment and consumer prices.

Licensing regulations have created unique barriers and challenges for certain populations who are entering the labor market or moving across states lines. This Barriers to Work series focuses on the specific barriers for four different population groups:

- Immigrants with work authorization
- Individuals with criminal records
- Long-term unemployed persons
- Veterans and military spouses

### Occupational Licensing Learning Consortium

In 2017, the U.S. Department of Labor's Employment and Training Administration awarded the National Conference of State Legislatures, in partnership with The Council of State Governments and the National Governors Association Center for Best Practices, funding on a three-year project to: 1) ensure that existing and new licensing requirements are not overly broad or burdensome and don't create unnecessary barriers to labor market entry; and 2) improve the portability for selected occupational licenses across state lines. The national partners are producing research, including these reports, convening state policymakers and experts in the field of occupational licensing, and delivering technical assistance to states. Through a competitive application process, 11 states were selected to participate in the consortium. Those 11 states are: Arkansas, Colorado, Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Nevada, Utah and Wisconsin.



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