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# **PATHWAYS TO THE FUTURE: PROFESSIONAL LICENSES FOR WASHINGTON'S IMMIGRANTS**

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**SEPTEMBER 2023**



“ My name is Angelita Cervantes, and I am a Yakima Valley College student. My goal is to become a nurse. To attend college, my family and I have had to make hard choices. We have paid for books and skimped on other essentials like food and transportation.

After a conversation with my college counselor, I was discouraged from pursuing my dream of becoming a nurse. The counselor told me that I would not be eligible for the necessary professional license because I was undocumented. As a result, I changed directions to pursue a career as a Business Technology Bilingual Office Assistant. I later discovered that the counselor had given me misinformation and that Washington state had no such restriction.”

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What Angelita and thousands of other Washington residents are facing is a problem with professional licenses. The U.S. Department of Health, Education, and Welfare defined licensure as “the process by which an agency of government grants permission to persons to engage in a given profession or occupation by certifying that those licensed have attained the minimal degree of competency necessary to ensure that the public health, safety, and welfare will be reasonably well protected.”<sup>1</sup> This granting of professional licenses is a state function.

Washington state does not stipulate that legal immigration or citizenship status is required for professional licenses, nor has it said that all residents can access professional licenses regardless of their status. Currently, it is unclear which (if any) professional licenses in the state require a Social Security number to qualify, limiting professional licenses — and any related jobs — to those with status.

1. *Report on Professional licenses and Related Health Personnel Credentialing*, 1971, U.S. Department of Health, Education and Welfare, p. 7



The ambiguity is embedded in the professional license system. For example, the Washington State Department of Health's website for Dental Assistant<sup>2</sup> asks for your Social Security number if you are applying online. This would discourage any undocumented person from continuing in the process. On the same page, the website informs the user that if they don't have a Social Security number, there is an alternative form.<sup>3</sup> The lack of clarity is onerous to potential job seekers as well as employers. The federal government passed the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) in 1996, which, among other things, restricted access to professional licenses. The law has an important exception, allowing states to pass legislation opting out of the professional license restriction.

If Washington state clarified the rules for professional licenses and allowed all qualified residents, regardless of immigration status, to apply for and receive professional licenses, it would remove barriers to educational and professional achievement for thousands of Washingtonians, and it could help address the state's worker shortage.

The state has made appropriate and significant investments in all students regardless of status. With the landmark decision of Plyler v. Doe (1982), undocumented students are welcome to attend public schools and have access to higher education, all funded by Washington state.<sup>4</sup> There are more than 10,388 undocumented students in Washington state enrolled in higher education with the goal of pursuing careers.<sup>5</sup> By restricting professional licenses, the state creates barriers to these same students' holding critical jobs at a time when Washington state is looking to grow its workforce. The National Council of State Legislatures' introduction to their National Occupational database reports that "over the past 60 years, the number of jobs requiring a professional/commercial license increased from approximately 1 in 20 to nearly 1 in 4." This makes the issue of professional licenses an important issue.<sup>6</sup>

Undocumented students who obtain higher education and have the same skills and qualifications as others are being turned away at the doorsteps of fulfilling their potential. These students' dreams of becoming nurses, teachers, or beauty professionals are providing for their families and building our communities. Fulfilling their dreams and aspirations returns the investment Washington state has made in their education back to the state. To do otherwise is shortsighted and costly.

2. "Dental Assistant Licensing Information," Washington State Department of Health, accessed August 3, 2023. <https://doh.wa.gov/licenses-permits-and-certificates/professions-new-renew-or-update/license-renewals/renewals-online>

3. "Dental Assistant Registration Application Packet," Washington State Department of Health, September 2021. <https://doh.wa.gov/sites/default/files/legacy/Documents/Pubs/642004.pdf>

4. <https://supreme.justia.com/cases/federal/us/457/202/>

5. "Washington - Data on Immigrant Students | Higher Ed Immigration Portal." 2023. Presidents' Alliance. June 13, 2023. <https://www.higheredimmigrationportal.org/state/washington/>

6. Hultin, S. (2022). The National Occupational Licensing Database. The National Conference of State Legislatures. <https://www.ncsl.org/research/labor-and-employment/occupational-licensing-statute-data-base.aspx>

## OTHER STATES ARE LEADING

California,<sup>7</sup> Colorado,<sup>8</sup> Illinois,<sup>9</sup> Nevada,<sup>10</sup> and New Jersey<sup>11</sup> are some of the states that have recognized the need to remove barriers to professional licenses. These states have passed legislation ensuring undocumented students have access to professional licenses.

In September of 2018, California passed SB 695,<sup>12</sup> prohibiting licensing boards from requiring citizenship or reporting on immigration status as a requirement for professional licenses. In 2019, Nevada passed AB 275,<sup>13</sup> preventing regulatory bodies from denying professional licenses based on an applicant's immigration status. In 2020, New Jersey passed a bill, SB 2455, that removed the requirement for lawful presence in the U.S. as a qualification for obtaining professional licenses. Most recently, in 2023, Maryland codified SB 187, which would prevent health care occupational licensing boards from requiring citizenship for professional licenses. This bill goes into effect in October of this year.<sup>14</sup>

### **Removing barriers to professional licenses builds the workforce and drives economic growth.**

**New York has a growing demand for workers across the state.** Demand for bilingual workers across critical fields like health care, social work, and education also increased. In 2016, the New York Board of Regents authorized DACA recipients to obtain a professional license and specific teacher certifications if they have met all other requirements for professional licenses except for their citizenship status.<sup>15</sup> Given this limited increased access to professional licenses in 2019, 42.7% of nursing assistants, 25.7% of healthcare social workers, and 20.3% of teaching assistants in New York were immigrants and refugees.<sup>16</sup>

7. [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201320140SB1159](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201320140SB1159)

8. "Remove Lawful Presence Verification Credentialing," Colorado General Assembly, May 12, 2021, <https://leg.colorado.gov/bills/sb21-077>

9. "Full Text of SB3109, 100th General Assembly," Illinois General Assembly - legislation, <https://ilga.gov/legislation/>

10. "AB275 Text," Nevada Electronic Legislative Information System, <https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6498/Text>

11. "P.L. 2020, c.075 (S2455)," New Jersey Legislature, [https://pub.njleg.gov/bills/2020/AL20/75\\_.HTM](https://pub.njleg.gov/bills/2020/AL20/75_.HTM)

12. "Senate Bill No. 695," Bill Text - SB-695 Professions and vocations: applications and renewals: individual tax identification number., September 27, 2018, [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180SB695](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB695)

13. <https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6498/Text>

14. "U.S. State Policies on DACA & Undocumented Students | Higher Ed Immigration Portal." 2023. Presidents' Alliance. February 6, 2023. <https://www.higheredimmigrationportal.org/states/>

15. "Board of Regents Permanently Adopts Regulations to Allow DACA Recipients to Apply for Teacher Certification and Professional Licenses," New York State Education Department, May 17, 2016, <https://www.nysed.gov/news/2016/board-regents-permanently-adopts-regulations-allow-daca-recipients-apply-teacher>

16. "The Economic Benefits of the Empire State Licensing Act." American Immigration Council, May 16, 2022. <https://www.americanimmigrationcouncil.org/research/economic-benefits-empire-state-licensing-act>



California prohibited licensing boards from denying professional licenses to applicants based on their citizenship or immigration status. The study “Effects of Occupational License Access on Undocumented Immigrants: Evidence from the California Reform” found that making professional licenses accessible increased the employment rate of undocumented immigrants by 2.7% and filled labor shortages in various occupations without crowding out U.S.-born or documented workers.<sup>17</sup> The report finds previous professional license requirements restricted labor supply and created shortages and that removing status as a barrier fulfilled unmet labor demands.

## MAKING A CASE FOR WASHINGTON STATE

Washington State invests in undocumented students. Washington state’s Dream Act allows undocumented students to apply for financial aid.<sup>18</sup> The Washington Application for Student Financial Aid (WASFA) is a state package of financial assistance for DACA and undocumented students who would otherwise not be eligible for federal aid.<sup>19</sup> The Wage Recovery Act,<sup>20</sup> passed in 2022, expands Working Connections to cover undocumented children, enabling their parents to attend college and support their families. Expanding access to higher education goes beyond providing immigrant students with in-state tuition and financial aid. Opening access to professional licenses would allow undocumented students to reach their full potential and enrich the state as a whole.

The COVID-19 pandemic led to early retirement and reduced immigration, putting pressure on the Washington workforce. In 2022 the Washington State Hospital Association reported a shortage of 6,000 nurses. Health care is not the only field with significant needs. As the Professional Educator Standards Board notes,

17. Chung, Bobby. Effects of Occupational License Access on Undocumented Immigrants: Evidence from the California Reform (March 15, 2023). Available at SSRN: <https://ssrn.com/abstract=4188948> or <http://dx.doi.org/10.2139/ssrn.4188948>
18. “Bill Summary RSS SB 6523 - 2013-14,” Washington State Legislature, <https://apps.leg.wa.gov/billssummary/?BillNumber=6523&#38;Year=2013&#38;Initiative=false>
19. “Students Who Are Immigrants, Are Undocumented, or Have DACA | WSAC.” 2023. Wa.gov. 2023. <https://wsac.wa.gov/immigrants>
20. “Chapter 60.90 RCW: WASHINGTON WAGE RECOVERY ACT.” 2021. Wa.gov. 2021. <https://app.leg.wa.gov/RCW/default.aspx?cite=60.90>



*“Educator shortage is a critical issue; it impacts almost every aspect of the education system in Washington. Spanning diverse content areas, geographic regions, and educator roles, the shortage is complex and cannot be summed up with a single set of data points.”*

The Washington State Employment Security Department reports that numerous professions are experiencing labor shortages in the state. These include nurses, software developers, electricians, carpenters, plumbers, truck drivers, teachers, accountants, dental hygienists, and welders. Most of these professions require professional licenses.

Washington state requires professional licenses in at least 247 different categories.<sup>21</sup> That means hundreds of thousands of potential workers and thousands of employers are impacted by barriers to achieving professional credentials. Clarifying that all qualified residents of Washington can get a license to practice in their field would be a step toward addressing the state’s labor shortages.

21. <https://wa.gov/work/professional-licenses>



## RECOMMENDATIONS:

- **Clarify** that all qualified applicants, regardless of their citizenship status, can obtain any professional occupational licenses — bar professional license boards from denying occupational licenses to applicants based on immigration status.
- **Allow** applicants to use an Individual Taxpayer Identification Number (ITIN) instead of a Social Security number when applying for a professional or occupational license. Individual Taxpayer Identification Numbers do not provide legal status or work authorization to undocumented people, but they confirm their identity and allow for limited rights and benefits under state and federal law.
- **Ensure** that all applications for professional licenses add language that an ITIN can be used instead of a Social Security number.

### IN CONCLUSION

When 1 in 7 Washington residents are immigrants, they are our neighbors, co-workers, taxpayers, community members, and family who enrich our lives with their cultural contributions. In Washington state specifically, undocumented immigrants alone contributed nearly \$300 million in state and local taxes each year.<sup>22</sup> Updating Washington’s laws to clarify that all qualified residents have access to professional licenses upholds the humanity and dignity of all workers while addressing our state’s workforce needs and contributing to the well-being of all Washingtonians. Washington state already invests in all its residents’ human potential. It is time to ensure that all Washington residents, regardless of immigration status, can fully achieve their potential and pursue their career goals while making greater contributions to the state’s economy and future.

22. “Adding up the Billions in Tax Dollars Paid by Undocumented Immigrants.” 2016. American Immigration Council. July 18, 2016. <https://www.americanimmigrationcouncil.org/research/adding-billions-tax-dollars-paid-undocumented-immigrants>





## APPENDIX: STUDENT STORIES

“ **My name is Eun Kim.** I’m 22 years old, and I’m currently a student at the University of Washington (UW) in Seattle. My family and I immigrated to Washington from South Korea in 2007, when I was five years old. We’ve been living here ever since.



When Trump was elected president during my freshman year of high school, the hope I had for my future shattered. The uncertainty caused me to research the Deferred Action for Childhood Arrivals (DACA) program, and I realized I needed to apply for it quickly. I talked to my parents about it, as the application required parental information. They were very frightened – with good reason – to disclose their status to the government. By the time they agreed to support me, DACA was no longer an option. Unfortunately, I lost that opportunity.

During my senior year of high school, I participated in the Running Start program, which allowed me to earn college credits with free tuition at Edmonds Community College (EDCC). After graduating, I continued on this path at EDCC while working towards getting my Associate of Arts degree. I faced several challenges and life changes during this time, including taking breaks from my studies. Eventually, I earned my Associate’s degree from Shoreline Community College.



I used to study dental hygiene/assistant. I looked into the professional license requirements, and the application appeared to require a Social Security number. I had completed all of my prerequisites before I realized that getting a professional license would be a barrier. I had to change majors, and none of those classes supported my new focus on environmental engineering. I am starting all over.”

Note: The Washington Department of Health webpage for applying for a professional license to become a dental hygienist/ assistant declares, *“You must have a Social Security number to apply online. A U.S. Individual Taxpayer Identification Number (ITIN) or a Canadian Social Insurance Number (SIN) cannot be substituted.”* But elsewhere on the website, the application states, *“You are not required to have or obtain a Social Security Number to apply for or obtain a license from the Department of Health,”* and applicants are offered a Declaration of No Social Security Number. Applicants like Eun were discouraged from applying because of the confusion. Clarifying the statute in Washington state would eliminate this barrier.

“ **My name is Sal Gomez.** I recently graduated from Pacific Lutheran University with a degree in Human Resources. However, when I looked for a job, they asked me for a Social Security number and a professional license. I often think that I studied for four years and wasted my time. People like me, who grew up in the U.S. and studied here, also deserve an opportunity to work and give back to our communities. A license would not only help me but also help the economy grow. Access to professional licenses would give me the opportunity to pursue my dream career. Someday, I would like to open my own business. In the end, everyone would win.

I want to share that I, and students like myself, want to learn, work, and help the country. With access to a professional license, I would be able to help others as a health care professional.”



“ **My name is Lizbeth Cervantes,** and I am a student at Heritage University. I am proud to be a Heritage student because the teachers and students support students to be successful. My goal is to complete my last year and finish clinical service to work as a lab technician.

I have overcome barriers in my education journey, to earn enough money to pay for school, books, gasoline for transportation, and expenses for my family. As a mother, it was difficult to study and take care of my son while worrying about finances at the same time.

To work in a medical laboratory requires a professional license. I have attended a good school and have put in the hours of study to earn my degree. All this work still does not mean access to a career. I am worried because, without a license, I will not be able to work in my field. I will continue to pursue my career, even if it means leaving this country.

I want to share that I, and students like myself, want to learn, work, and help the country. With access to a professional license, I would be able to help others as a health care professional.”

“ **My name is Rosalba Perez.** I’m an immigrant from Mexico. I moved when I was 16. My goal since high school has always been to become a therapist. I started in community college before transferring to a four-year university to complete my degree. I have a passion for reading and writing, as well as a keen interest in understanding human behavior. I really like to work with youth and families, which I do now as a youth leadership organizer.

My career goal is to become a licensed therapist or psychologist, focusing on supporting young people and their mental health journeys. Ideally, I'd also like to work with families, especially adolescents and fellow immigrants who share similar experiences. This desire is rooted in my own experiences and the positive impact that therapy can have on navigating life's challenges. I would also like to be someone who works in the community and provides free education on mental health.

In order to pursue my dream of becoming a therapist, I have to get a professional license. When I lived in Texas, I investigated how to get a professional license to be a therapist. The state explicitly asked for a Social Security number, which I did not have. Once I found that out, I made the decision not to go to graduate school.

I struggled for two years after graduation to find suitable work in Texas. I decided to move to Washington state in search of better opportunities for undocumented people. The University of Washington caught my attention because they had a webpage explicitly for supporting undocumented students. This was a marked difference from my experience in Texas, where discussing undocumented status felt secretive. The move was a leap of hope, driven by the desire to access better resources and opportunities for individuals like me.

Looking forward, I hope to become a licensed therapist, although the requirement for a license remains a hurdle due to documentation limitations. I've explored options, and it seems Washington state might have more flexibility in this regard, but the uncertainty remains. I just hope that things change in the future and that I am able to continue supporting others, especially those with similar experiences, but as a licensed therapist."



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**Fernando Mejia Ledesma is the Campaigns Director for Alliance for a Just Society and Project Director for Communities for Our Colleges.** He has twenty years of organizing and policy experience with many labor, community, and racial & economic justice organizations in Washington state and across the United States. Fernando moved to the U.S. from Mexico at 16 years old; he recently became a U.S. citizen and voted for the first time in 2021. He has worked with several state and national organizations, including Fair Immigration Reform Movement, OneAmerica, Washington Community Action Network, United We Dream Network, United Food and Commercial Workers 3000, Puget Sound Sage, and Main Street Alliance. He sits on the board of the Tubman Center for Health & Freedom and is a Commissioner with the Washington State Commission on Hispanic Affairs.

**Thanks to contributions from** LeeAnn Hall, Kelly Li, Gianna Campillo, Mariana Peña, Libero Della Piana, Carolyn Pinedo-Turnovsky, Xochilt Lopez, Gabby Fitz, Sasha Wasserstrom, Vanessa Reyes, Abby Chien, Angelita Cervantes, Eun Kim, Lizbeth Cervantes, Sal Gomez, and Rosalba Perez.

## ABOUT COMMUNITIES FOR OUR COLLEGES

**Communities for Our Colleges (C4C)** is a multiracial student-centered coalition in Washington state that works to improve the state's community colleges by engaging students, faculty, staff, and the community to advocate for improved funding, access, and racial equity. Washington's 34 community and technical colleges are engines of local economies, individual advancement, and racial justice. Community colleges are essential to successful four-year colleges. They serve communities of color and low-income communities, prepare tomorrow's workers, and offer opportunities to the underserved. Our community colleges benefit all Washingtonians. Full funding for our colleges is an investment in a prosperous and equitable future for the state. C4C is a project of the nonprofit Alliance for a Just Society.

## ABOUT ALLIANCE FOR A JUST SOCIETY

**Alliance for a Just Society (AJS)** is a national center for innovative organizing and strategy based in Seattle, Washington. We build powerful organizations and communities. We fight for racial, social, and economic justice. **Executive Director: LeeAnn Hall**

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