

Foreign Applicants and Social Security Numbers

The purpose of this policy is to provide guidance on the processing of applications from foreign applicants who do not possess a permanent social security number or a control number issued by the Virginia Department of Motor Vehicles.

Certain foreign applicants for licensure, certification, or registration by the health regulatory boards may encounter obstacles in the effort to obtain work visas, social security numbers, and the authorization required to pursue their professions in Virginia. An applicant reportedly cannot obtain a work authorization from the Immigration and Naturalization Service (“INS”) unless the applicant has a license, registration or certification to practice his or her profession.

Virginia Code § 54.1-116 requires an applicant for license, registration or certification by a health regulatory board to provide a social security number or a control number issued by the Department of Motor Vehicles (“DMV”) on the application. Even a statutory exemption which allows certain Canadian nurses to be licensed as Registered Nurses by endorsement requires a “proper application” to the Board. *See* Va. Code § 54.1-3001(A)(4). Because Virginia Code § 54.1-116 requires “all” applications to include a social security number or a control number issued by the DMV, the exemption for certain Canadian nurses also requires a social security number or control number issued by the DMV.

The Social Security Administration, however, requires that a foreign applicant for a social security number have a work permit before it will issue a social security number.

To address this circular dilemma, Virginia Code § 54.1-116 was amended to allow a health regulatory board to issue a temporary license or authorization to practice, effective for not longer than 90 days, to an *otherwise qualified applicant* for a license, certificate, or registration who is a foreign national and cannot provide a social security number or control number at the time of application. *See* Va. Code § 54.1-116(B). The Board may grant additional temporary licenses for an applicant whose 90 days have expired, provided the reason given for the extension is outside of the applicant’s control.

Procedure for Board staff

If an application is received by a board without a social security number or DMV control number, and all other requirements in board regulation are met, the board may issue a temporary license. The temporary license will expire 90 days from issuance.

If a board issues a temporary license, it will be recorded as temporary, with a 90-day expiration date, in the DHP License Lookup system and in any other applicable licensing database systems reported to by a board.

Any temporary licenses issued by a board will be flagged with a hold/alert pending provision of a social security number or DMV control number. The hold/alert may be released when all requirements in for licensure are met.

If all requirements in board regulations are met and a social security number or DMV control number is verified, an application is deemed complete and a permanent license may be issued.

References

[Va. Code § 54.1-116](#)