

SENATE BILL 723

J2

5lr2597
CF 5lr1653

By: **Senator Conway**

Introduced and read first time: February 12, 2015

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Nurse Practitioner Full Practice Authority Act of 2015**

3 FOR the purpose of repealing a certain prohibition against a certified nurse practitioner
4 practicing in the State unless the nurse practitioner has an approved attestation that
5 the nurse practitioner has an agreement for collaboration and consulting with a
6 certain physician and will practice in accordance with certain standards; requiring
7 a nurse practitioner to practice in accordance with certain standards; repealing a
8 requirement that the State Board of Nursing maintain a certain attestation and
9 make the attestation available to the State Board of Physicians; requiring the State
10 Board of Nursing, in consultation with the State Board of Physicians, to develop a
11 certain plan; and generally relating to the practice of nurse practitioners in the State.

12 BY repealing and reenacting, without amendments,
13 Article – Health Occupations
14 Section 8–302(a)
15 Annotated Code of Maryland
16 (2014 Replacement Volume)

17 BY repealing and reenacting, with amendments,
18 Article – Health Occupations
19 Section 8–302(b)
20 Annotated Code of Maryland
21 (2014 Replacement Volume)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
23 That the Laws of Maryland read as follows:

24 **Article – Health Occupations**

25 8–302.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) Except as otherwise provided in this title, to qualify for a license or
2 certification, an applicant shall be an individual who submits to a criminal history records
3 check in accordance with § 8–303 of this subtitle and meets the requirements of this section.

4 (b) (1) An applicant for certification as an advanced practice nurse shall:

5 (i) Be a registered nurse;

6 (ii) Complete an education program approved by the Board;

7 (iii) Submit to the Board:

8 1. A completed application for certification as a nurse
9 practitioner, nurse anesthetist, nurse midwife, nurse psychotherapist, or clinical nurse
10 specialist for each area in which certification is sought;

11 2. Documentation of an active license in good standing as a
12 registered nurse in the State;

13 3. Documentation that the applicant has graduated from an
14 accredited program for advanced practice nursing for nurse practitioners, nurse
15 anesthetists, nurse midwives, nurse psychotherapists, or clinical nurse specialists; and

16 4. Documentation of certification as a nurse practitioner,
17 nurse anesthetist, nurse midwife, nurse psychotherapist, or clinical nurse specialist by a
18 nationally recognized certifying body approved by the Board; and

19 (iv) Meet any other requirements that the Board sets.

20 (2) (i) An individual certified as a nurse practitioner by a national
21 certifying body prior to October 1, 2010 who is certified by the Board and in good standing
22 shall be deemed to meet the education requirements under subsection (b)(1)(iii)3 of this
23 section.

24 (ii) An individual certified as a nurse anesthetist, nurse midwife,
25 nurse psychotherapist, or clinical nurse specialist who is certified by the Board and in good
26 standing prior to October 1, 2012, shall be deemed to meet the education requirements
27 under subsection (b)(1)(iii)3 of this section.

28 (3) In addition to the requirements for renewal of a license under § 8–312
29 of this subtitle, the Board may establish continuing education or competency requirements
30 for the renewal of a certificate under this subsection.

31 (4) (i) Subject to the provisions of this subsection, the Board may waive
32 any requirement of this subsection for an applicant who is licensed or certified to practice
33 as a nurse practitioner, nurse anesthetist, nurse midwife, nurse psychotherapist, or clinical
34 nurse specialist in any other state or country.

1 (ii) The Board may grant a waiver under this paragraph only if the
2 applicant:

3 1. Pays the application fee required by the Board under §
4 8–304 of this subtitle;

5 2. Became licensed or certified in the other state or country
6 under requirements substantially equivalent to the certification requirements of this title;
7 and

8 3. Meets any other qualifications established by the Board.

9 (5) [(i) A certified nurse practitioner may not practice in the State
10 unless the nurse practitioner has an approved attestation that:

11 1. The nurse practitioner has an agreement for collaboration
12 and consulting with a physician licensed under Title 14 of this article and will refer to and
13 consult with physicians and other health care providers as needed; and

14 2. The] A nurse practitioner [will] **SHALL** practice in
15 accordance with the standards of practice of the American [Academy] **ASSOCIATION** of
16 Nurse Practitioners or any other national certifying body recognized by the Board.

17 [(ii) The Board shall:

18 1. Maintain an approved attestation; and

19 2. Make the approved attestation available to the State
20 Board of Physicians on the request of the State Board of Physicians.]

21 (6) Unless authorized to practice as a nurse practitioner under this title, a
22 person may not:

23 (i) Represent to the public by title or by description of services,
24 methods, or procedures, or otherwise, that the person is authorized to practice as a nurse
25 practitioner in this State;

26 (ii) Use as a title or describe the services the person provides by use
27 of the words “nurse practitioner” or “certified registered nurse practitioner”; or

28 (iii) Use the abbreviation “N.P.,” “C.R.N.P.,” or any other words,
29 letters, or symbols with the intent to represent that the person practices as a nurse
30 practitioner.

31 (7) Unless authorized to practice as a nurse anesthetist under this title, a
32 person may not:

1 (i) Practice nurse anesthesia unless certified by the Board in
2 accordance with this section; or

3 (ii) Use the title “certified nurse anesthetist”, “nurse anesthetist”, or
4 any other words, letters, or symbols with the intent to represent that the person practices
5 as a nurse anesthetist.

6 (8) Unless authorized to practice as a nurse midwife under this title, a
7 person may not:

8 (i) Practice nurse midwifery unless certified by the Board in
9 accordance with this section; or

10 (ii) Use the title “certified nurse midwife”, “nurse midwife”, or any
11 other words, letters, or symbols with the intent to represent that the person practices as a
12 nurse midwife.

13 (9) Unless authorized to practice as a nurse psychotherapist under this
14 title, a person may not:

15 (i) Practice as a nurse psychotherapist unless certified by the Board
16 in accordance with this section; or

17 (ii) Use the title “advanced practice nurse”, “certified nurse
18 psychotherapist”, “registered nurse/psychiatric mental health”, “nurse psychotherapist”, or
19 any other words, letters, or symbols with the intent to represent that the person practices
20 as a nurse psychotherapist.

21 (10) Unless authorized to practice as a clinical nurse specialist under this
22 title, a person may not:

23 (i) Practice as a clinical nurse specialist unless certified by the
24 Board in accordance with this section; or

25 (ii) Use the title “certified clinical nurse specialist”, “clinical nurse
26 specialist”, “clinical registered nurse specialist”, “clinical nurse specialist graduate”, or any
27 other words, letters, or symbols with the intent to represent that the person practices as a
28 clinical nurse specialist.

29 SECTION 2. AND BE IT FURTHER ENACTED, That:

30 (a) The State Board of Nursing, in consultation with the State Board of
31 Physicians, shall develop a plan for implementing the provisions of this Act.

1 (b) The plan developed under subsection (a) of this section shall provide for the
2 repeal of obsolete regulations and the notification of certified nurse practitioners in the
3 State of the effect of this Act.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2015.