

## Article - Health Occupations

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§8-202.

- (a) (1) The Board consists of 13 members.
- (2) Of the 13 Board members:
  - (i) 8 shall be registered nurses;
  - (ii) 3 shall be licensed practical nurses; and
  - (iii) 2 shall be consumers.
- (3) Of the 8 registered nurse members:
  - (i) 1 shall be certified in an advanced practice nursing specialty that rotates with each vacancy among the following specialties:
    - 1. Nurse anesthetist;
    - 2. Nurse practitioner;
    - 3. Nurse midwife; and
    - 4. Nurse psychotherapist;
  - (ii) 1 shall be a baccalaureate nursing educator with, at least, a master's degree in nursing or education;
  - (iii) 1 shall be an associate degree nursing educator with, at least, a master's degree in nursing or education;
  - (iv) 1 shall be a practical nursing educator with, at least, a bachelor of science degree in nursing or education;
  - (v) 1 shall be a nurse administrator with, at least, a master's degree in nursing administration, business administration, business management, education, or public health;
  - (vi) 1 shall be a nurse clinician with at least a master's degree in nursing or public health;
  - (vii) 1 shall be a currently practicing nurse, who has practiced acute care for at least 5 years, with a bachelor of science degree in nursing; and
  - (viii) 1 shall be a currently practicing nurse who has practiced as a delegating nurse in a supervised group living setting, as defined in COMAR

10.27.11.02(20), for at least 5 years.

(4) Of the 3 licensed practical nurse members, at least 1 shall practice in a long-term care nursing facility.

(b) (1) The Governor shall appoint:

(i) The registered nurse member certified in an advanced practice nursing specialty, with the advice of the Secretary, from a list of qualified individuals jointly developed in accordance with the requirements of subsection (a)(3)(i) of this section and submitted to the Secretary and the Governor by the:

1. Maryland Association of Nurse Anesthetists, Inc.;
2. Nurse Practitioners Association of Maryland, Inc.;
3. Maryland Coalition of Nurse Practitioners, Inc.;
4. Maryland Chapter, American College of Nurse-Midwives;
5. Psychiatric Advance Practice Nurses of Maryland; and

and

(ii) The other registered nurse members, with the advice of the Secretary, from:

1. A list of qualified individuals submitted to the Secretary and the Governor by:

A. The Maryland Nurses Association, Inc.; or

B. Any other professional nursing organization that represents at least 25 licensed registered nurses; or

2. A valid petition submitted to the Secretary and the Governor by a registered nurse with an active license under this title.

(2) The Governor shall appoint the licensed practical nurse members, with the advice of the Secretary, from:

(i) A list of qualified individuals submitted to the Secretary and the Governor by:

1. The Maryland Licensed Practical Nurse Association, Inc.;

or

2. Any other professional nursing organization representing at least 25 licensed practical nurses; or

(ii) A valid petition submitted to the Secretary and the Governor by a licensed practical nurse with an active license under this title.

(3) A list submitted to the Secretary and the Governor under this subsection shall be 5 times the number of vacancies.

(4) A petition submitted to the Secretary and Governor under this subsection shall have at least 25 signatures of support from nurses with active licenses in the State.

(5) The Board shall provide notice of a vacancy on the Board to:

(i) All nurses with an active license in the State; and

(ii) All appropriate professional nursing organizations.

(6) The Governor may request an additional list of 5 nominees for each vacancy from the appropriate professional nursing organizations.

(7) The Governor shall make the appointment for each vacancy from the lists or petitions submitted under this subsection.

(8) The Governor shall appoint the consumer members with the advice of the Secretary and the advice and consent of the Senate.

(9) To the extent practicable, the members appointed to the Board shall reasonably reflect the geographic, racial, ethnic, cultural, and gender diversity of the State.

(c) Each member of the Board shall be:

(1) A citizen of the United States; and

(2) A resident of this State.

(d) (1) A registered nurse member of the Board shall:

(i) Have graduated from an approved school of nursing or its equivalent; and

(ii) Have at least 5 years of experience in nursing administration, education, or practice, which includes at least the 3 years immediately before the appointment.

(2) A member of the Board who is a registered nurse certified in an advanced practice nursing specialty shall:

(i) Hold a current license to practice registered nursing in this State;

(ii) Hold a current certification in an advanced practice nursing specialty in this State; and

(iii) Have at least 5 years of experience in an advanced practice nursing education or practice, including at least the 3 years immediately before the appointment.

(e) A licensed practical nurse member of the Board shall have at least 5 years of experience in the practice of licensed practical nursing, which includes at least the 3 years immediately before the appointment.

(f) Each consumer member of the Board:

(1) Shall be a member of the general public;

(2) May not be or ever have been a registered nurse or licensed practical nurse or in training to become a registered nurse or licensed practical nurse;

(3) May not have a household member who is a registered nurse or licensed practical nurse or in training to become a registered nurse or licensed practical nurse;

(4) May not participate or ever have participated in a commercial or professional field related to registered nursing or licensed practical nursing;

(5) May not have a household member who participates in a commercial or professional field related to registered nursing or licensed practical nursing; or

(6) May not have had within 2 years before appointment a substantial financial interest in a person who is regulated by the Board.

(g) While a member of the Board, a consumer member may not have a substantial financial interest in a person regulated by the Board.

(h) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(i) (1) The term of a member is 4 years, except that the initial term of 1 of the consumer members is 2 years.

(2) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 1981.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun may serve an additional 2 consecutive full terms.

(5) A member may not serve more than 2 consecutive full terms.

(6) To the extent practicable, the Governor shall fill any vacancy on the Board within 60 days of the date of the vacancy.

(j) (1) The Governor may remove a member for incompetence, misconduct, neglect of a duty required by law, unprofessional conduct, or dishonorable conduct.

(2) Upon the recommendation of the Secretary, the Governor may remove a member whom the Secretary finds to have been absent from 2 successive Board meetings without adequate reason.

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