

**Department of Legislative Services**  
Maryland General Assembly  
2024 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

House Bill 1053

(Delegate Kaiser, *et al.*)

Health and Government Operations

Finance

---

**State Board of Nursing - Executive Director Qualifications**

---

This bill removes the requirement that the Executive Director of the State Board of Nursing (MBON) must be a registered nurse (RN) with a minimum of a master’s degree in nursing or the equivalent, in the judgement of MBON, in professional education and administrative experience. **The bill generally takes effect July 1, 2025; if the termination date of Chapters 222 and 223 of 2023 are amended, the bill takes effect on the termination of Chapters 222 and 223.**

---

**Fiscal Summary**

**State Effect:** None. The change is technical in nature and does not directly affect governmental finances.

**Local Effect:** None.

**Small Business Effect:** None.

---

**Analysis**

**Current Law:** Generally, an individual must be licensed and/or certified by MBON to practice specified nursing duties in the State. MBON is responsible for the regulation and oversight of nursing professionals in the State, ensuring that nurses comply with federal and State laws governing the profession through the regulation and oversight of education and training programs and by taking disciplinary action against licensees and certificate holders when warranted.

MBON may employ an executive director who must be a RN with a minimum of a master's degree in nursing, or the equivalent, in the judgment of the board, in professional and administrative experience.

Chapters 222 and 223 extended MBON's termination date by two years to July 1, 2025, during which the Secretary of Health is granted authority over specified infrastructure operations of the board. MBON special funds may not be used for such operations. Through June 30, 2025, the Secretary of Health is authorized to employ staff for the board in accordance with the State budget and designate a staff member who is an RN as the board's executive director. Should the board's termination date be further extended, authority over infrastructure operations reverts to MBON on July 1, 2025.

Chapters 222 and 223 also required MBON to hire an external consultant to conduct an independent evaluation of the board and develop an action plan to implement the recommendations identified in the consultant's [report](#) to the Senate Finance Committee and the House Health and Government Operations Committee by September 1, 2023. The report noted that there is substantial clinical, educational, examination, and judicial experience and expertise among current MBON leadership to reconsider the requirement for the board's executive director to be an RN. Chapters 222 and 223 generally terminate on July 1, 2025.

**Additional Comments:** On January 3, 2023, the Executive Director of the Department of Legislative Services directed the Office of Program Evaluation and Government Accountability (OPEGA) to conduct a [performance evaluation](#) of MBON. In the evaluation, OPEGA found that the statutory requirement that MBON's executive director be an RN differs from the other four largest health occupations boards in Maryland, which do not require their respective executive directors to hold a license or certification issued by the board. OPEGA recommended that the General Assembly consider repealing the requirement that the Executive Director of MBON be a licensed nurse and that MDH should convene a stakeholder workgroup to discuss the appropriate qualifications of an executive director.

---

### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - February 23, 2024  
rh/jc Third Reader - March 19, 2024  
Revised - Amendment(s) - March 19, 2024

---

Analysis by: Amberly E. Holcomb

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510