



## DEPARTMENT OF HEALTH

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

### Board of Nursing

January 21, 2020

The Honorable Paul G. Pinsky, Chairman  
Education, Health, and Environmental Affairs  
2 West, Miller Office Building  
Annapolis, MD 21401-1991

**RE: SB 103 – Health Occupations-Diagnostic Evaluations and Treatment of Patients-Disciplinary Actions (The Patient’s Access to Integrative Healthcare Act of 2020) – Letter of Concern**

Dear Chairman Pinsky and Committee Members:

The Maryland Board of Nursing (the “Board”) respectfully submits this letter of concern for Senate Bill 103 entitled “Health Occupations – Diagnostic Evaluation and Treatment of Patients – Disciplinary Actions (The Patient’s Access to Integrative Healthcare Act of 2020)”.

The Board is concerned that this bill discounts patient protection in favor of protecting the healthcare provider. SB 103 places unnecessary limits on the Board’s authority to discipline Advanced Practice Registered Nurses (APRN) for violations of the Nurse Practice Act (NPA). Additionally, the bill puts the burden on the Board to conduct the risk/benefit analysis for a diagnostic evaluation, test or treatment used by the APRN after treatment has already been administered.

The Board currently uses expert witnesses to determine if the standard of care is violated. However, this bill requires the Board to employ an expert with demonstrated training, competence and experience in integrative medicine.

Thank you for your consideration of the Board’s position.

If you would like to discuss this further, please contact Karen Evans Executive Director, Maryland Board of Nursing, (410) 585-1914 or [karene.evans@maryland.gov](mailto:karene.evans@maryland.gov) or Rhonda Scott Deputy Director/Director of Enforcement, (410) 585-1953 or [rhonda.scott2@maryland.gov](mailto:rhonda.scott2@maryland.gov)

Sincerely,

Gary Hicks,  
Chair

**The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.**