



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of SB 960
State Board of Nursing - Sunset Extension, Licensure Exceptions , and
Board Operations and Membership**

Good afternoon Madam Chair, Madam Vice Chair and members of the Finance Committee. Thank you for the opportunity to present SB 960 for your consideration. This bill is an Emergency Bill that extends the operation of the State Board of Nursing to 2025 and provides the assistance the Board needs to stabilize its operations, address its unsustainable employee vacancy rate and make much needed improvements to customer service.

According to the Department of Legislative Services (DLS) review of the Board's operations in August 2022, there are almost 282,000 registered professionals who fall under the Board of Nursing's purview - making it our largest health care licensing Board, more than five times the size of the next largest Board.

Since 2021 legislators have been working closely with health care employers and the Board of Nursing to identify and solve serious challenges that have kept the Board of Nursing from functioning at an acceptable level - resulting in an exacerbation of our nursing shortage and a risk to public health.

These challenges were inherited by the current Executive Director, and she has been working diligently - but without the resources, relationships, and expertise she needs - to right the ship.

This legislation will support the Board and provide them with the administrative resources they need to make necessary improvements in an expedited time frame - without passing the costs on to this segment of the healthcare workforce, which is largely women of color who are already overworked and underpaid. Maryland's nurses, healthcare employers and patients deserve a licensing Board that works, and this bill will help make that happen.

What does the bill do?

1. **SB 960 has MDH temporarily take direct responsibility for Infrastructure Operations of the Board of Nursing** - functions such as IT, accounting, HR and procurement. **MDH is also required to take responsibility for the costs associated with upgrading and modernizing these systems.** The Appropriations Committee in the House recently allocated \$8M to this project in the 2024 Budget.

MDH's administrative responsibility for the MBoN will last for a two-year period, **after which the Board of Nursing will return to full independence.**

Secretary Herrera Scott has agreed to take on this responsibility temporarily and is in strong support of this legislation. She has already met with Secretary Grady and the Executive Director to begin work to address the BoN staff vacancy issue. Work will continue to implement information technology and procurement solutions.

Note: Currently the Board of Nursing has 91 positions, and 32 of those positions are vacant.

2. The Board of Nursing will retain complete control over its core mission of licensure, investigations, discipline, nursing policy and education. *This important principle was further clarified with the House amendments that I am asking the Senate to adopt.* The goal of this legislation is to ensure the MBoN is able to fulfill its **core mission** to protect public safety, without being overwhelmed with administrative challenges.
3. Empowers the Board of Nursing to collect workforce data necessary to address the healthcare workforce crisis.
4. Changes requirements to allow employers to support nursing graduates who have not passed the exam on their first try.
5. Requires the Board of Nursing to hire an external consultant to conduct an independent evaluation and develop an action plan for necessary improvements by September 2023.

6. Reconstitutes the Board membership. This is a strategy we have used in the past with the Board of Physicians, Board of Dental Examiners, and most recently the UMMS Board. Existing Board members will be allowed to reapply for a new appointment. The amendment to this section was requested by the Executive Director, it modifies the phased-in reconstitution so that it takes place in two phases, to ease the onboarding process for the Executive Director.

The House version passed unanimously with amendments proposed by the Maryland Nurses Association and the Board of Nursing. I am asking the Senate to adopt these amendments as well. In addition, I am requesting another amendment suggested by MNA to tweak the language in one of those amendments to make abundantly clear that the legislation will not allow the Executive Director to be a non-nurse during the two-year period this legislation is in effect.

Maryland's nurses care for the sick, frail, and vulnerable in our society - and they have been heroic throughout the pandemic. We depend on them, and they deserve a Licensing Board that is fully staffed, has functional IT systems, and answers the phone when they call. Our healthcare employers, who are already struggling to fill vacancies, deserve the same. This is the legislation that will move us forward to a better place together. I urge a favorable report.