



2024 POSITION PAPER

HB 759 / SB 996

ADVANCED PRACTICE REGISTERED NURSES - PROFESSIONAL LIABILITY INSURANCE COVERAGE - NOTIFICATION REQUIREMENTS FAVORABLE

HB 759 / SB 996 requires advanced practice registered nurses practicing in Maryland to notify patients in writing if the nurse does not maintain professional liability insurance coverage or if the coverage has lapsed and not been renewed. Advanced practice registered nurse is defined in COMAR 10.27.07.01 as a registered nurse who is certified by the Board as a certified nurse midwife, certified registered nurse anesthetist, certified nurse practitioner, or clinical nurse specialist.

This bill is necessary because nurse practitioners, nurse midwives, nurse anesthetists and nurse specialists perform critical health care roles, from the delivery of babies and postpartum care, to diagnosis and treatment of chronic illness, to the administration of anesthesia and monitoring of vital signs. These roles cover a wide range of medical services and touch many Maryland patients. Many advanced practice nurses operate independently, outside of the supervision of physicians or hospitals. Indeed, nurse practitioners are granted licenses in Maryland with full practice authority; therefore, they are able to practice without the supervision of a physician. (See COMAR 10.27.07) (See also Nurse Practitioner Full Practice Authority Act of 2015 SB723/HB999).

The focus of this bill is notification. As patients increasingly seek care from advanced practice registered nurses, patients must be made aware if their provider does not carry professional liability insurance coverage. With over 258,000 nurse practitioners practicing nationwide,¹ the American Association of Nurse Practitioners (AANP) projects nurse practitioners “to be the number one fastest-growing profession over the next decade.”² Maryland patients need to know whether their advanced practice registered nurse carries liability insurance or is covered by the insurance plan of a hospital or physician practice.

This bill will mandate insurance disclosure to these patients during the first visit, and as a part of informed consent prior to any procedure or operation.

The language in the bill mirrors the identical notification requirement required of physicians in Md. Code Ann., Health Occupations, §14-508, effective October 1, 2017.

This bill protects patients in Maryland by providing them with information to make informed decisions regarding their own healthcare choices.

The Maryland Association for Justice urges a FAVORABLE Report on HB 759 / SB 996.

¹ Bureau of Labor Statistics, *Occupational Employment and Wage Statistics*, May 2022.

² “Five Health Care Trends to Watch in 2023,” January 18, 2023, *American Association of Nurse Practitioners*.

About Maryland Association for Justice

The Maryland Association for Justice (MAJ) represents over 1,250 trial attorneys throughout the state of Maryland. MAJ advocates for the preservation of the civil justice system, the protection of the rights of consumers and the education and professional development of its members.

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