

2024 Position Paper - Nurse Coverage HB759SB996.pd

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Position: FAV



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.

10440 Little Patuxent Parkway, Suite 250
Columbia, MD 21044

(410) 872-0990 | FAX (410) 872-0993
info@mdforjustice.com

mdforjustice.com

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info@mdforjustice.com

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Nash MMC written testimony_SB 996_ APRN liability

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Position: FAV



MARYLAND MILITARY COALITION

Serving Veterans through Legislative Advocacy

February 20, 2024

Honorable Guy Guzzone
Chair, Budget and Taxation Committee
Maryland Senate
3 West
Miller Senate Building
Annapolis, Maryland 21401

Request for a Favorable Report – SB 996 - Advanced Practice Registered Nurses - Professional Liability Insurance Coverage - Notification Requirements

Dear Chair Pena-Melnyk and Members of the Health and Government Operations Committee

On behalf of the Maryland Military Coalition and as its Communications Director, I am providing written testimony in support of SB 996. I am an advanced practice nurse.

This bill requires each advanced practice registered nurse (APRN) practicing as an APRN in the State who does NOT have liability coverage or their coverage has lapsed, to notify a patient in writing. Further, each APRN practicing in the State as an APRN who does not maintain professional liability insurance coverage must post such information in a conspicuous location in their place of practice. The State Board of Nursing (MBON) must develop appropriate language for the required written notification

Under Maryland law [Maryland Nurse Practitioner - Scope and Standards of Practice](#) and within the scope and standards of their practice, a nurse practitioner may independently perform the following functions:

1. Conduct a comprehensive physical assessment
2. Order, perform, and interpret laboratory and diagnostic tests;
3. Order and perform diagnostic, therapeutic, and corrective measures;
4. Prescribe drugs;
5. Provide emergency care;
6. Establish medical diagnosis for common short-term and chronic stable health problems;
7. Complete a birth or death certificate
8. Or, issue a “do not resuscitate order” on a Maryland Emergency Medical Services form.

These are important activities that carry some risk with them. Persons receiving care should be aware of a provider’s lack of liability coverage. The requirement to notify a patient in writing or post such information in a conspicuous location in their place of practice is not onerous. Liability coverage premiums vary by area of certification, length of time in practice, the state in which you

**1101 Mercantile Lane, Suite 260 • Largo, Maryland 20774
(301) 583-8687 • (800) 808-4517**

SB 996 - Advanced Practice Registered Nurses - Professional Liability Insurance Coverage - Notification Requirement

practice, and the liability limit you select, and generally range from approximately \$650 to \$1500 per year¹.

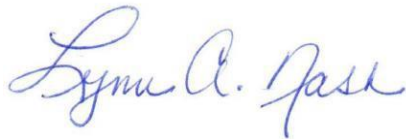
Maryland is home to 34,444 active-duty service members, 14,292 active-duty spouses and 25,642 reservists/national guard members with 28,019 family members². These are Department of Defense numbers and do not reflect the 1,700 U.S. active-duty Public Health Service or NOAA officers, our 7,000 PHS and NOAA retirees and their families, who receive medical care in Maryland. In addition, there are 355,787 veteran households³.

Like everywhere else, military treatment facilities are currently understaffed. This results in some patients being moved to care on the economy. Our uniformed community deserves the protections of civilian providers who carry malpractice insurance, and they should be notified if that provider does not carry liability insurance.

The Maryland Military Coalition, is a voluntary, non-partisan organization representing 21 veteran service organizations who, in turn, serve over 150,000 Maryland uniformed services men and women and their families. The **Coalition strongly supports SB 996 - Advanced Practice Registered Nurses - Professional Liability Insurance Coverage - Notification Requirement** and asks for your **FAVORABLE report**.

We thank Senator Klausmeier for her sponsorship of this important legislation.

Respectfully,



Lynn A. Nash, PhD, RN, PHCNS-BC, FAAN
CAPT (R), U.S. Public Health Service
Communications Director

Maryland Military Coalition Member Organizations Follow

¹ [Costs Related to Entering NP Practice](#)

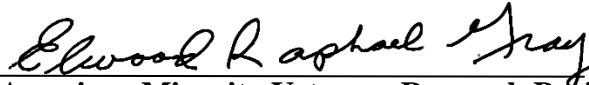
² [Military One Source](#), as of December 31, 2022

³ [VA Claim Insider](#), August 10, 2023

Member Organizations, Maryland Military Coalition


Air Force Sergeants Association


American Military Society


American Minority Veterans Research Project

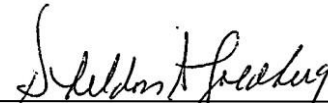

Association of the United States Navy



Commissioned Officers Association of the
US Public Health Service


Disabled American Veterans


Distinguished Flying Cross Association


Fleet Reserve Association


Jewish War Veterans of the USA


Maryland Air National Guard Retirees'
Association


Maryland Veterans Chamber of Commerce


Military Officers Association of America


Military Order of the Purple Heart

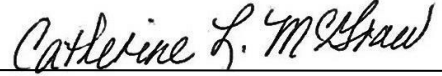

Montford Point Marines of America


National Association for Black Veterans


Naval Enlisted Reserve Association


NOAA Association of Commissioned Officers


Reserve Organization of America


Society of Military Widows


National Active and Retired Federal Employees
Veterans Affairs Directorate, NARFE MD


Veterans of Foreign Wars