

HB 1053 Kaiser Senate Testimony.pdf

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Position: FAV

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Health and Government
Operations Committee

House Chair
Joint Committee on Cybersecurity,
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of House Bill 1053:
State Board of Nursing - Executive Director Qualifications
March 21, 2024**

Chair Beidle and esteemed members of the Senate Finance Committee, it is my pleasure to come before you and offer testimony in favor of **House Bill 1053: State Board of Nursing - Executive Director Qualifications**. As amended, this bill removes the qualification that the executive director of Maryland Board of Nursing (MBON) must be a registered nurse (RN) with a master's degree in nursing, effective July 2025.

Why am I suggesting this change? Last year, Ernst & Young and the Office of Program Evaluation and Government Accountability both evaluated MBON's infrastructure and operations. The reports confirmed that many of the challenges faced by MBON stemmed from underfunding and understaffing, and since then, MBON has implemented several of the recommendations. One additional recommendation was to eliminate the RN requirement for the executive director of MBON, due to the "substantial clinical, education, examination, and judicial experience and expertise among MBON leadership currently to support a non-RN Executive Director." In changing the code to reflect this recommendation, we are aiming to give MBON the option to appoint an executive director with or without an active RN license, as best meets their needs in the future.

Until July 2025, the Maryland Secretary of Health has the authority to designate the Executive Director of MBON, after which MBON will resume the responsibility. My bill does not change who has this hiring authority after 2025, rather it only provides MBON with flexibility in their hiring options. Indeed, MBON can continue to appoint executive directors with an active RN license.

This bill passed 137-0 in the House of Delegates. I urge the committee to give a favorable report to **House Bill 1053: State Board of Nursing - Executive Director Qualifications**. Thank you.

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Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

March 21, 2024

The Honorable Pamela Beidle
Chair, Senate Finance Committee
3 East, Miller Senate Office Building
Annapolis, Maryland 21401

RE: House Bill 1053 - State Board of Nursing - Executive Director Qualifications - Study - Letter of Support as Amended

Dear Chair Beidle and Committee members,

The Maryland Department of Health (Department) respectfully submits this letter of support as amended for House Bill (HB) 1053 State Board of Nursing - Executive Director Qualifications - Study. The current statute requires the Executive Director of the Board to be a registered nurse. However, recent independent evaluations have highlighted why this requirement is not necessary.

We appreciate the Committee's leadership on this bill and the opportunity to discuss the current status of the Board of Nursing. In accordance with HB 611 of 2023, the Department commissioned an independent evaluation of the Board of Nursing which was submitted to the General Assembly in September 2023. Among other things, independent evaluators were tasked with reviewing the qualifications necessary to serve as Executive Director of the Board. The evaluation recommended that we reconsider the requirement that the Executive Director be a registered nurse as there is clinical expertise at the Board that are capable of supporting an Executive Director who is not a nurse.

While most state boards of nursing have a registered nurse as their Executive Director, representatives from the National Council on State Boards of Nursing stated in their interview with the Department's independent evaluators that larger boards, such as Maryland's, do not necessarily need a registered nurse in the Executive Director position, as long as there is expertise in the organization, including leadership through various departments.

Similar findings were echoed in an evaluation conducted by the Department of Legislative Services Office of Program Evaluation and Government Accountability (OPEGA) in late 2023. Specifically, OPEGA noted that the statutory requirement for the Board's Executive Director to be a registered nurse differs from the four largest health occupations boards in Maryland. These Boards do not require their respective executive directors to hold a license or certification issued by the board. For these reasons, the Department supports this bill as amended.

If you have any questions, please contact Sarah Case-Herron, Director of Government Affairs, at sarah.case-herron@maryland.gov or Erin McMullen, Chief of Staff at erin.mcmullen1@maryland.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Laura Herrera Scott". The signature is stylized and cursive.

Laura Herrera Scott, M.D., M.P.H.
Secretary

2024 MNA HB 1053 Senate Side.pdf

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Position: UNF



Committee: Senate Finance Committee

Bill Number: House Bill 1053 – State Board of Nursing – Executive Director Qualifications

Hearing Date: March 21, 2024

Position: Oppose

The Maryland Nurses Association (MNA) opposes *House Bill 1053 – State Board of Nursing – Executive Director Qualifications*. The bill would remove the statutory requirement for the Executive Director of the Maryland Board of Nursing (MBON) be a registered nurse. Last year, the Maryland Nurses Association advocated for the retention of the registered nurse provision when the Committee was considering *Senate Bill 960*, a bill that reorganized the MBON. The Committee approved that amendment request. We ask the Committee to continue considering the importance of having a registered nurse lead the MBON. We understand that there are not similar provisions for other health occupations in Maryland. However, MNA believes that the MBON is different because of the complexity of nursing issues. There are multiple pathways, more so than any other profession, for people to enter into nursing. With an executive director who is a nurse, the MBON will be in a better position to navigate the numerous nursing policy issues, including how to address the nursing shortage, facing the State. Almost 75% of states have registered nurses as executive directors of their boards of nursing.

MNA respectfully asks for an unfavorable report. We understand the bill’s intention to broaden the pool of applicants for the executive director in the future. We believe that the best candidate would be a registered nurse. If we can provide any additional information, please contact Robyn Elliott at relliott@policypartners.net.