



DEPARTMENT OF HEALTH

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

February 27, 2024

The Honorable Joseline Pena-Melnyk
Maryland House of Delegates
Lowe House Office Building, Room 219
6 Bladen St., Annapolis, MD 21401

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

Dear Chair Pena-Melnyk and Committee members,

The Maryland Department of Health (Department) respectfully submits this letter of support with amendments 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; 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 and as discussed with the Committee, the Department supports the intent of this bill but respectfully recommends amending the bill to strike the study and reporting requirements to convene a stakeholder workgroup to study the qualifications of the Executive Director position for the Board of Nursing, and the submission of a subsequent report. Separately, the Department would recommend that the Committee consider the recommendations from both independent evaluations to strike requirements that the Executive Director must be a registered nurse with a minimum of a master's degree in nursing or the equivalent.

We understand from conversations with the sponsor that amendments to this effect are being drafted. With these amendments, the Department is fully supportive of this bill.

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 "LHC Scott".

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