Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

Senate Bill 484 (Senator Hollinger)
Economic and Environmental Affairs   Referred to Environmental Matters

Nurses - Exercise of Professional Judgment

This amended bill provides that the Board of Nursing may discipline a licensee if the licensee (1) directs another nurse to perform a designated nursing activity that the nurse acting with sound nursing judgement has refused to perform because of specified reasons; (2) interferes with another nurse's refusal to supervise or evaluate an unlicensed individual performing a designated nursing activity when the unlicensed individual has not demonstrated adequate ability to perform the activity in the nurse's opinion; and (3) interferes with another nurse's refusal to perform a designated nursing activity if the nurse has indicated the activity is not within the nurse's capabilities. The bill provides an exception for emergency situations that present a clear and significant risk of death or serious harm to a patient. Individuals in a supervisory capacity who direct nurses to perform the activities specified above and are licensed by another health occupation board, or employed by an accredited hospital or related institution and are not licensed or certified health care providers, are not subject to the board's penalty provision.

Fiscal Summary

State Effect: The bill's requirements could be handled within existing resources.

Local Effect: None.

Small Business Effect: Minimal. There may be an increase in the number of complaints and disciplinary actions against some nurses who are employed by a small business nurse staffing agency.

Information Source(s): Department of Health and Mental Hygiene (Board of Nursing),

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