

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

Senate Bill 854 (Senator Bromwell)
Economic and Environmental Affairs

Nurse Psychotherapists - Authority to Prescribe Medications in Pro Bono Programs Not Adequately Served by Physician Volunteers

This bill authorizes a licensed nurse psychotherapist to enter into a written agreement with a physician to prescribe medication if: (1) the nurse psychotherapist is to prescribe medications to individuals receiving mental health services through a nonprofit, volunteer program that receives funding from the State and that is unable to obtain sufficient numbers of physicians willing to provide mental health services; (2) the nurse psychotherapist meets specified educational requirements; (3) the nurse psychotherapist is registered with the U. S. Drug Enforcement Administration as an authorized prescriber; and (4) the written agreement, which must include specified information, is approved by the Board of Nursing. The board may not approve a written agreement unless the Board of Physician Quality Assurance (BPQA) reviews and approves the role of the physician as established in the written agreement.

The Board of Nursing and the BPQA must establish a joint committee to make recommendations to the boards concerning written prescribing agreements. The two boards must adopt regulations to carry out the bill's requirements, and, in conjunction with the Board of Pharmacy, develop a formulary of Schedule II, III, IV, and V medications that a nurse psychotherapist may prescribe.

Fiscal Summary

State Effect: Administrative costs for the Board of Nursing are assumed to be minimal and could be handled with existing budgeted resources. No impact on the BPQA. No effect on revenues.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Nurse psychotherapists do not have prescriptive authority.

State Fiscal Effect: Currently, the Board of Nursing licenses 308 nurse psychotherapists. It is unknown how many nurses that work for nonprofit, volunteer programs would apply for a prescribing agreement. The board does not intend to assess a fee for the agreements, and the board has sufficient surplus funds to cover the operational costs of processing the agreements.

Any increase in workload for BPQA could be handled with existing budgeted resources.

Additional Information

Prior Introductions: An identical bill, SB 822, was introduced in the 2000 session. It was not reported from the Senate Economic and Environmental Affairs Committee. HB 936, a similar bill, was introduced in the 1999 session. The House Environmental Matters Committee referred the bill for interim study.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene (Board of Nursing, Board of Physician Quality Assurance), Department of Legislative Services

Fiscal Note History: First Reader – March 8, 2001
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