

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 923

(Delegate Elmore, *et al.*)

Health and Government Operations

Education, Health, and Environmental Affairs

State Board of Nursing - Temporary Licenses and Temporary Practice Letters -
Extensions

This emergency bill authorizes temporary licenses and temporary practice letters issued by the Board of Nursing to be extended for 90-day periods. A temporary license can be extended up to an additional 90 days if the applicant is waiting for completion of a criminal history record check. If the applicant does not yet meet the practice requirement, as specified in regulation, the temporary license or temporary practice letter may be extended every 90 days – subject to a one-year limitation from the date of original issuance.

Fiscal Summary

State Effect: This bill would not directly affect governmental finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The board can issue a temporary license to an applicant who is licensed in another state and meets other specified requirements, including submitting to a criminal history records check. The board can also issue a temporary practice letter to a certified nurse practitioner or certified nurse-midwife who • has been issued a temporary license; • has submitted an initial written agreement to the board for formal approval; and • meets other specified requirements. Temporary licenses and temporary practice letters

expire 90 days after the date of issue and cannot be renewed. The board must revoke a temporary license or certificate if the criminal history record information forwarded to the board reveals that the applicant, certificate holder, or licensee has been convicted or pled guilty or *nolo contendere* to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.

Background: The Board of Nursing regulates the practice of registered nurses, licensed practical nurses, nurse anesthetists, nurse midwives, nurse practitioners, nursing assistants, medication technicians, and electrologists. The board regulated almost 150,000 professionals in 2007. According to the board, there are 507 active temporary licenses and temporary practice letters currently held by nurses, certified nurse-midwives, and certified nurse practitioners in the State.

The board began requiring criminal history records checks of all new registered nurses, licensed practical nurses, and certified nursing assistant applicants in January 2007, although they were required to begin in October 2006. The board has reviewed 15,642 criminal history records checks since the program's inception. The board has not started conducting the checks on existing certificate and license holders during the renewal process that was scheduled for January 2008.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - February 29, 2008
mcp/ljm Revised - House Third Reader - March 26, 2008

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