

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 723

(Senator Conway)

Education, Health, and Environmental Affairs

Health and Government Operations

Certified Nurse Practitioners - Authority to Practice

This bill repeals the prohibition against a certified nurse practitioner practicing in the State without an approved attestation that the nurse practitioner has a collaboration and consulting agreement with a physician and will consult with physicians and other health care providers as needed. The bill also repeals the requirement that the State Board of Nursing (BON) maintain a copy of the attestation and make the attestation available to the State Board of Physicians (MBP). Instead, the bill requires an applicant for initial certification as a nurse practitioner to identify on his or her application to BON a licensed physician or certified nurse practitioner mentor who will consult and collaborate with the applicant.

Fiscal Summary

State Effect: Minimal administrative efficiencies for BON as a result of the bill's provisions, allowing resources to be redirected to other activities within BON. Revenues are not affected. BON can alter the initial application form and adopt regulations within existing budgeted resources.

Local Effect: Any impact on school-based health centers or local health departments is expected to be minimal.

Small Business Effect: Potential minimal.

Analysis

Bill Summary: “Mentor” means a certified nurse practitioner or a licensed physician who has three or more years of clinical practice experience and with whom an individual applying for certification as a certified nurse practitioner will consult and collaborate for 18 months beginning on the date the application for certification is received by BON.

The bill clarifies that a nurse practitioner must practice in accordance with the standards of the American *Association* of Nurse Practitioners or any other national certifying body recognized by BON. The bill also clarifies that to practice as a nurse practitioner means to independently *consult and collaborate with*, or refer an individual to an appropriate licensed physician or *any* other health care provider *as needed*.

BON must adopt regulations to implement the bill’s requirements related to nurse practitioners’ consultation and collaboration with other health care providers and the designation of mentors on initial applications for certification as a nurse practitioner.

Current Law: A certified nurse practitioner may not practice in the State unless the nurse practitioner has an approved attestation that (1) the nurse practitioner has an agreement for collaboration and consulting with a physician licensed in the State and will refer to and consult with physicians and other health care providers as needed and (2) the nurse practitioner will practice in accordance with the standards of practice of the American Academy of Nurse Practitioners or any other national certifying body recognized by BON. BON must maintain a copy of the approved attestation and make it available to MBP on request.

Background: BON reports that there are currently 5,542 nurse practitioners practicing in the State. Upon initial certification, a new nurse practitioner is required to file an attestation as part of his or her application. BON advises that the attestation has created an additional administrative burden for staff who are required to answer questions about the attestation, record each approved attestation, and file the attestation with the individual credential file. The staff must also be prepared to make an attestation available to MBP for inspection upon request. Even so, BON reports that it has not, since 2010, received a request from MBP to review an attestation.

Additional Information

Prior Introductions: None.

Cross File: HB 999 (Delegate Cullison, *et al.*) - Health and Government Operations.

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

Fiscal Note History: First Reader - March 9, 2015
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