

# SENATE BILL 513

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2lr1978  
CF HB 276

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By: **Senator Eckardt**

Introduced and read first time: January 28, 2022

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 27, 2022

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Health Occupations – Clinical Nurse Specialists – Prescribing Authority**

3 FOR the purpose of defining “clinical nurse specialist” and “practice as a clinical nurse  
4 specialist” for the purpose of authorizing clinical nurse specialists to prescribe drugs  
5 and durable medical equipment under regulations adopted by the State Board of  
6 Nursing; altering the definition of “authorized prescriber” for purposes of the  
7 Maryland Pharmacy Act to include clinical nurse specialists; authorizing a licensed  
8 physician to personally prepare and dispense a prescription written by a clinical  
9 nurse specialist; and generally relating to the prescription authority of clinical nurse  
10 specialists.

11 BY repealing and reenacting, without amendments,  
12 Article – Health Occupations  
13 Section 8–101(a) and (b)  
14 Annotated Code of Maryland  
15 (2021 Replacement Volume)

16 BY repealing and reenacting, with amendments,  
17 Article – Health Occupations  
18 Section 8–508(a)(2)(ii), 12–101(b), and 12–102(c)(2)(iv)2.  
19 Annotated Code of Maryland  
20 (2021 Replacement Volume)

21 BY adding to  
22 Article – Health Occupations

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 8–514  
2 Annotated Code of Maryland  
3 (2021 Replacement Volume)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
5 That the Laws of Maryland read as follows:

6 **Article – Health Occupations**

7 8–101.

8 (a) In this title the following words have the meanings indicated.

9 (b) “Advanced practice registered nurse” means an individual who:

10 (1) (i) Is licensed by the Board to practice registered nursing; or

11 (ii) Has a multistate licensure privilege to practice registered  
12 nursing under the Nurse Licensure Compact; and

13 (2) Is certified by the Board to practice as:

14 (i) A nurse practitioner;

15 (ii) A nurse anesthetist;

16 (iii) A nurse midwife; or

17 (iv) A clinical nurse specialist.

18 8–508.

19 (a) (2) “Nurse practitioner” means a registered nurse who is:

20 (ii) Authorized to prescribe drugs under regulations adopted by the  
21 [State] Board [of Nursing].

22 **8–514.**

23 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
24 **INDICATED.**

25 **(2) “CLINICAL NURSE SPECIALIST” MEANS AN INDIVIDUAL WHO IS:**

26 **(I) LICENSED BY THE BOARD TO PRACTICE REGISTERED**  
27 **NURSING;**

1 (II) CERTIFIED BY THE BOARD TO PRACTICE AS A CLINICAL  
2 NURSE SPECIALIST; AND

3 (III) AUTHORIZED TO PRESCRIBE DRUGS AND DURABLE  
4 MEDICAL EQUIPMENT UNDER REGULATIONS ADOPTED BY THE BOARD.

5 (3) (I) "PRACTICE AS A CLINICAL NURSE SPECIALIST" MEANS TO:

6 1. PROVIDE DIRECT CARE TO PATIENTS WITH COMPLEX  
7 NEEDS;

8 2. ACT AS A CONSULTANT TO ANOTHER HEALTH CARE  
9 PROVIDER AS NEEDED;

10 3. CONDUCT HEALTH-RELATED RESEARCH; AND

11 4. PROVIDE EDUCATION AND GUIDANCE FOR STAFF  
12 NURSES.

13 (II) "PRACTICE AS A CLINICAL NURSE SPECIALIST" INCLUDES:

14 1. ORDERING, PERFORMING, AND INTERPRETING  
15 LABORATORY ~~AND DIAGNOSTIC~~ TESTS;

16 2. ORDERING DIAGNOSTIC TESTS AND USING THE  
17 FINDINGS OR RESULTS IN THE CARE OF PATIENTS;

18 ~~3.~~ 3. PRESCRIBING DRUGS AND DURABLE MEDICAL  
19 EQUIPMENT AS PROVIDED UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION;

20 ~~4.~~ 4. ORDERING HOME HEALTH AND HOSPICE CARE; AND

21 ~~5.~~ 5. INITIATING, MONITORING, AND ALTERING  
22 APPROPRIATE THERAPIES OR TREATMENTS.

23 (B) PRACTICE AS A CLINICAL NURSE SPECIALIST IS GOVERNED BY RULES  
24 AND REGULATIONS THAT ARE ADOPTED UNDER § 8-205 OF THIS TITLE AND THAT  
25 CONCERN ADDITIONAL ACTS IN THE PRACTICE OF REGISTERED NURSING.

26 12-101.

27 (b) "Authorized prescriber" means any licensed dentist, licensed dental hygienist  
28 with prescriptive authority under § 4-206.4 of this article, licensed physician, licensed  
29 podiatrist, licensed veterinarian, advanced practice REGISTERED nurse with prescriptive

1 authority under § 8–508 **OR § 8–514** of this article, or other individual authorized by law  
2 to prescribe prescription or nonprescription drugs or devices.

3 12–102.

4 (c) (2) This title does not prohibit:

5 (iv) A licensed physician who complies with the requirements of item  
6 (ii) of this paragraph from personally preparing and dispensing a prescription written by:

7 2. [A nurse practitioner who is authorized to practice under  
8 Title 8, Subtitle 3] **AN ADVANCED PRACTICE REGISTERED NURSE WITH**  
9 **PRESCRIPTIVE AUTHORITY UNDER § 8–508 OR § 8–514** of this article and is working  
10 with the physician in the same office setting; or

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2022.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.