

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 729

(Chair, Finance Committee)(By Request - Departmental -
Health)

Finance

State Board of Nursing - Sunset Extension

This departmental bill extends the termination date for the State Board of Nursing (MBON) by three years to July 1, 2026, subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act (MPEA). **The bill takes effect June 1, 2023.**

Fiscal Summary

State Effect: Special fund revenues and expenditures for the board are maintained through FY 2026.

Local Effect: None.

Small Business Effect: The Maryland Department of Health has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services (DLS) concurs with this assessment.

Analysis

Current Law/Background: Generally, an individual must be licensed and/or certified by MBON to practice registered or licensed practical nursing in the State. MBON comprises 14 board members, of which 9 must be registered nurses (RNs); 1 must be a licensed nurse who is either a licensed practical nurse (LPN), an RN, or an advanced practice registered nurse; 2 must be LPNs; and 2 must be consumers. All appointments are made by the Governor. For the appointment of an RN or LPN board member, the Governor must select an appointee from specified lists of qualified individuals furnished by designated nursing organizations. For the appointment of a consumer member, the Governor must make the

appointment with the advice of the Secretary of Health and the advice and consent of the Senate.

MBON is 1 of approximately 60 regulatory entities and activities subject to termination unless reauthorized periodically through statute. Under MPEA, these entities may also be subject to an evaluation by the Office of Program Evaluation and Government Accountability (OPEGA) within DLS prior to their termination. However, OPEGA may conduct an evaluation only if directed by specified entities or by legislation. MBON is scheduled to terminate July 1, 2023. On January 3, 2023, the Executive Director of DLS directed OPEGA to conduct a performance evaluation of MBON. The evaluation is expected to be completed by the end of calendar 2023. In the meantime, the board has requested reauthorizing legislation.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - March 2, 2023
km/jc

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: State Board of Nursing – Sunset Extension

BILL NUMBER: **SB 729**

PREPARED BY: Board of Nursing

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposal will have no economic impact.