



Board of Nursing

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

Gary Hicks, Board President | Karen Evans, Executive Director
4140 Patterson Ave, Baltimore, MD 21215

March 29, 2022

The Honorable Guy Guzzone
Chair, Senate Budget and Taxation Committee
3 West Miller Senate Office Building
Annapolis, MD 21401-1991

RE: HB 1208 – Health Occupations – Health Care Workforce Expansion – Letter of Support with Amendments

Dear Chair Guzzone and Committee Members:

The Maryland Board of Nursing (the Board) respectfully submits this letter of support with amendments for House Bill (HB) 1208 – Health Occupations – Health Care Workforce Expansion. This bill establishes requirements on the State Board of Nursing related to the expansion of the workforce in nursing-related fields; establishes a State income tax credit for certain licensed practical nurses, advanced practice registered nurses, and registered nurses; requires the Maryland Department of Health to work with the Division of Workforce Development and Adult Learning to convene a stakeholder workgroup to study expanding the State apprenticeship program to the health care workforce; and requires the Maryland Department of Health to convene a workgroup to study how the State can implement a certain loan repayment assistance program.

The Board sincerely appreciates the General Assembly’s diligence in addressing the nursing workforce shortage by focusing on efforts in recruitment and retention of frontline staff. It is imperative to encourage and support innovative and sustainable initiatives that fortify and advance the safe practice of nursing in the state of Maryland. The Board, however, respectfully submits the following amendments to provide further clarity and information on current processes.

HB 1208, section 8-6A-05, page 7, lines 26 – 28. The Board is required to adopt regulations establishing standards for nursing programs that provide online instruction.

The Board, as a regulatory agency, is authorized to adopt rules and regulations that govern the practice and training standards of nursing assistants within the state of Maryland. To carry out its duties, staff must review programs’ compliance with federal and state laws and analyze all aspects of training, including faculty qualifications, clinical facility resources, curriculum, and final performance evaluations of students. Nursing assistant training programs were traditionally

held in-person, but in response to the pandemic, the Board permitted the adoption of a hybrid or blended structure. This structure would allow training programs to divide time between online didactic and in-person lab and clinical instruction. The Board has continued to allow this form of education so long as programs maintain compliance with state and federal standards.

The Board respectfully submits the following amendment to clarify current authorizations for nursing assistant training programs. At this time, only didactic curriculum and instruction can be held online. All lab and clinical experiences should be held in-person. Simulation labs have been permanently discontinued as of September 15th, 2021, as a result of the termination of the Governor's state of emergency. Training programs are encouraged to collaborate with long-term care facilities, acute care settings (such as hospitals), or assisted living facilities where students are able to care for patients with chronic healthcare issues.

Section 8-6A-05. On page 7. Lines 26 – 28.

(5) STANDARDS FOR THE ONLINE PROVISION OF ~~[ALL ASPECTS OF]~~ DIDACTIC INSTRUCTION IN A NURSING ASSISTANT TRAINING PROGRAM THAT MEETS THE REQUIREMENTS ESTABLISHED BY THE BOARD.

HB 1208, section 8-6A-14, page 8, lines 14 – 18. The Board is required to approve the use of a nursing assistant training site by a nursing assistant training program in an expedited manner if the nursing assistant training program has been previously approved to use the nursing assistant training site by the Board.

The Board's current process for reviewing and approving nursing assistant training sites and programs can take at least one (1) month if all application materials have been submitted. Once a program has submitted their application, it must be reviewed by the Board's Education Department, Certified Nursing Assistant (CNA) Advisory Committee, and Practice & Education Committee before proceeding to the Board for final approval. To stay in compliance with the Open Meetings Act, all training programs must be approved by the Board during its open session. Expediting the approval process for nursing assistant training sites would not only limit the Board's ability to ensure compliance with federal and state standards, but it would also exclude certified nursing assistants, educators, and facility administrators (who serve on these Committees) from the approval process. Additionally, training programs can continue to collaborate and operate with a site while the Board reviews and approves their application. Training sites would not be prevented from providing instruction to students and would not disrupt clinical experiences.

Section 8-6A-14. On page 8. Lines 14 – 18. Remove.

[(G) THE BOARD SHALL APPROVE THE USE OF A NURSING ASSISTANT TRAINING SITE BY A NURSING ASSISTANT TRAINING PROGRAM WITHIN 14 DAYS AFTER THE NURSING ASSISTANT TRAINING PROGRAM APPLIES FOR APPROVAL IF THE NURSING ASSISTANT TRAINING PROGRAM HAD PREVIOUSLY BEEN APPROVED TO USE THE TRAINING SITE BY THE BOARD.]

Lastly, the Board believes HB 1208 will help to incentivize licensed healthcare providers to precept students during their clinical rotations, and provide students the opportunity to work in areas with a workforce shortage. With an increasing need for providers in underserved areas of the State, it is both fair and equitable to allow qualified preceptors (licensed practical nurses, advanced practice registered nurses, and registered nurses) to receive tax credits for the clinical instruction they provide to nursing students. The Board additionally finds it beneficial to examine how the State could implement a loan repayment assistance program for individuals regulated by the Board.

For the reasons discussed above, the Maryland Board of Nursing respectfully submits this letter of support with amendments for HB 1208.

I hope this information is useful. For more information, please contact Iman Farid, Health Policy Analyst, at (410) 585 – 1536 or iman.farid@maryland.gov or Rhonda Scott, Deputy Director, at (410) 585 – 1953 or rhonda.scott2@maryland.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Hicks", written in a cursive style.

Gary N. Hicks
Board President

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.