



**2022 SESSION**  
**POSITION PAPER**

**BILL NO: SB 440**

**COMMITTEE: Senate Education, Health, and Environmental Affairs**

**POSITION: Support**

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**TITLE: SB 440 – Commission to Study the Health Care Workforce Crisis in Maryland – Establishment**

**BILL ANALYSIS**

Senate Bill 440 (“SB 440”) establishes a Commission to study the healthcare workforce crisis in Maryland. The study aims to assess the extent of the workforce shortage, short-term solutions to the workforce shortage, future health care workforce needs, and the relationship between the Maryland Department of Health (MDH) and the health occupations boards. The Secretary of Health will designate the chair of the Commission. The Commission will consist of members from various State agencies. The Commission will be required to report findings from the study and develop recommendations for the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee by December 31. The Commission will remain active for a time period of two years and will be abrogated if it is determined that no further action is required by the General Assembly.

**POSITION AND RATIONALE**

The Maryland Health Care Commission supports SB 440.

The Maryland Hospital Association (MHA) reports that Maryland hospitals employ approximately 117,000 doctors, nurses, and other caregivers who care for more than 5 million patients each year.<sup>1</sup> Although highly trained health care professionals enter the workforce each year, hospitals in Maryland struggle to maintain an adequate health care workforce. Challenges to the retention of health care workers include lack of advancement opportunities, work overload, workplace violence, inadequate salaries for midlevel medical staff, and insufficient training opportunities. The COVID-19 pandemic exacerbated these challenges. As a result, Maryland is facing a health care workforce shortage in all health care professions across the State.

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<sup>1</sup> *Fostering a Robust, Engaged Health Care Workforce*. Maryland Hospital Association. February 2022. Available at: <https://www.mhaonline.org/transforming-health-care/workforce>

The workforce shortage has been most pronounced among nursing personnel.<sup>2</sup> Maryland hospitals have more than 3,900 nursing vacancies, a 50% increase since the Delta variant surge in August 2021.<sup>3</sup> In an effort to increase nursing personnel, Governor Hogan released an Executive Order in September 2021 that allowed nurses and licensed practical nurses with an out-of-state, active license to practice in Maryland and granted early graduation for qualified nursing students.<sup>4</sup> The Order also encouraged hospital leaders to recruit nursing staff from the 36 states that participate in the Nurse Licensure Compact, which allows nurses with a nurse compact license to practice in states that participate in the agreement.<sup>5</sup>

Commissions and workgroups to study health care work force issues are not new in Maryland, but this Commission has a broad charge and the impact of this study is wide-ranging. The Commission will assess health care workforce shortages across multiple health care occupations and health care settings, and measure the impact on subpopulations including rural residents, non-English speakers, and racial minorities in the State. Results from the prospective analyses in the study will provide data to inform future training and workforce development, assess the cost of training programs, and help to inform the strategic direction of State health agencies for years to come. In addition, the Commission will identify additional incentives for health care workers to enter and stay in the workforce, including career advancement for low-wage employees.

The Commission will consist of a broad group of policymakers from the Senate and House of Delegates, senior administrators from State agencies including Education, Health, Commerce, and the State Superintendent of Schools. High level policy experts from the Health Department and the Maryland Health Care Commission are also designated to participate. The Commission will also include executive directors from each health occupations board.<sup>6</sup> The diverse composition of members will enable the Commission to develop comprehensive solutions to workforce challenges in Maryland.

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<sup>2</sup> Nursing personnel is defined as individuals authorized by a health care institution to provide nursing services to a patient or resident. Nursing personnel include registered nurses (RN), licensed practical nurses (LPN), nurse assistants (NA), and unlicensed assistive nursing personnel.

<sup>3</sup> *Maryland Hospitals' Nursing Vacancies Up 50% Since Late August, Group Says*. CBS Baltimore. Available at: <https://baltimore.cbslocal.com/2022/02/01/maryland-hospitals-nursing-vacancies-up-50-since-late-august-group-says/>

<sup>4</sup> *Governor Hogan Announces Steps to Increase Nursing Workforce Statewide*. The Office of Governor Larry Hogan. Accessed February 4, 2022. Available at: <https://governor.maryland.gov/2021/09/23/governor-hogan-announces-steps-to-increase-nursing-workforce-statewide/>

<sup>5</sup> Nursing Compact States. Accessed February 4, 2022. Available at: <https://www.trustedhealth.com/compact-states>

<sup>6</sup> COMAR 10.31.01, Health Occupation Boards. Available at: <http://www.dsd.state.md.us/comar/SubtitleSearch.aspx?search=10.31.01>.



The Commission will make recommendations for the appropriate relationship between the Secretary and health occupations boards. The Commission is the appropriate body to examine the balance of administrative control and operational independence between the Secretary and the health occupation boards, given the role the health occupations boards play in ensuring that Maryland has an adequate, well-trained health care workforce. While on the Commission, executive directors from the health occupation boards will help to identify administrative, staffing, and technical needs. This study could help to identify solutions that will better serve licensees, health care organizations, and the public.

For these reasons, the Commission asks for a favorable report on SB 440.

*Note: The Maryland Health Care Commission is an independent State agency, and the position of the Commission may differ from the position of the Maryland Department of Health.*

