



Board of Nursing

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

February 10, 2022

The Honorable Paul G. Pinsky
Chair, Senate Education, Health, and Environmental Affairs Committee
2 West Miller Senate Office Building
Annapolis, MD 21401-1991

RE: SB 154 – Advanced Practice Registered Nurse Compact – Letter of Information

Dear Chair Pinsky and Committee Members:

The Maryland Board of Nursing (the Board) respectfully submits this letter of information for Senate Bill (SB) 154 – Advanced Practice Registered Nurse Compact. This bill establishes criteria for participating states entering into the Advanced Practice Registered Nurse (APRN) Compact (the Compact). This bill authorizes an advanced practice registered nurse to practice in a party state under certain scope of practice rules. SB 154 additionally establishes the Interstate Commission of APRN Compact Administrators and its duties and powers.

The APRN Compact, adopted August 12, 2020, allows an advanced practice registered nurse to hold one multistate license, issued by the home state, with the privilege to practice in all other party states. The intent of the Compact is to: (1) increase access to APRN services among party states; (2) enable APRNs to practice in person or provide telehealth services to patients in party states; (3) allow APRNs to cross state borders quickly and efficiently to provide services in party states in the event of an emergency; (4) allow military spouse APRNs to continue working upon relocation to another party state; and (5) remove burdensome expenses for APRNs by limiting the number of single state licenses issued.¹

The Board supports the intent of the APRN Compact, but there are two conflicts with current State law that would prevent adoption of the APRN Compact in Maryland.

Page 9, lines 8 – 9: The issuance of an APRN multistate license shall include prescriptive authority for non-controlled prescription drugs.

Currently, Title 8 of the Maryland Health Occupations, Md. Code Ann., and Title 10, Subtitle 27 of the Code of Maryland Regulations (COMAR) do not authorize Certified Registered Nurse Anesthetists (CRNA) or Clinical Nurse Specialists (CNS) to prescribe controlled or non-controlled prescription drugs. This is in direct conflict with SB 154, which requires that all APRN licensees be authorized to prescribe non-controlled prescription drugs.

¹ Facts about the APRN Compact. National Council of State Boards of Nursing (NCSBN).
https://www.aprncompact.com/1pager_APRNCompact_2020.pdf

The Board is aware of legislation being introduced in the 2022 legislative session that would authorize CRNAs and CNSs to prescribe certain prescription medications^{2,3}. However, neither bill authorizes full prescriptive authority for non-controlled prescription drugs, which would be necessary in order to adopt the APRN Compact.

Page 9, lines 13 – 17: An APRN issued a multistate license is authorized to assume responsibility and accountability for patient care independent of any supervisory or collaborative relationship.

Currently, Md. Code Ann., Health Occ. § 8-513 and COMAR 10.27.06.06 require that a certified registered nurse anesthetist collaborate with an anesthesiologist, licensed physician, or dentist^{4,5}. These provisions are inconsistent with the language in the APRN Compact requiring full practice authority and autonomy. Unless CRNA's are permitted to assume responsibility and accountability for patient care independent of the current collaborative relationship requirement, it is not possible to adopt the APRN Compact in Maryland.

The Board believes the only way to rectify the inconsistencies with prescriptive authority and independent practice would be to introduce companion bills.

For the reasons discussed above, the Board of Nursing respectfully submits this letter of information for SB 154.

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

Sincerely,



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.

² House Bill 55 CF Senate Bill 312. Health Occupations – Nurse Anesthetists – Drug Authority and Collaboration.

³ House Bill 276 CF Senate Bill 513. Health Occupations – Clinical Nurse Specialists – Prescribing Authority.

⁴ Title 8 – Nurses. Subtitle 5 – Miscellaneous Provisions. Section 8-513 – Nurse Anesthetist.

⁵ COMAR 10.27.06.06 – Standards of Practice. <http://www.dsd.state.md.us/comar/comarhtml/10/10.27.06.06.htm>