



DATE: February 9, 2023 **COMMITTEE:** House Health and Government Operations
BILL NO: House Bill 611
BILL TITLE: State Board of Nursing – Sunset Extension, Licensure Exceptions, and Board Operations and Membership
POSITION: Support

Kennedy Krieger Institute supports House Bill 611 - State Board of Nursing – Sunset Extension, Licensure Exceptions, and Board Operations and Membership.

Bill Summary:

House bill 611 changes the authority of the operations of the State Board of Nursing to the Secretary of the Maryland Department of Health. Additionally, the legislation mandates reporting and dating sharing; the hiring of an outside consultant to conduct an independent evaluation; and allows for nursing candidates to practice if the individual has failed the national exam once within 120 days before submitting the application to the Board.

Background:

Kennedy Krieger Institute is dedicated to improving the lives of children and young adults with developmental, behavioral, cognitive, and physical challenges. Kennedy Krieger's services include inpatient, outpatient, school-based, and community-based programs. Over 27,000 individuals receive services annually at Kennedy Krieger. We employ more than 2,600 persons who play a vital role in our mission to transform the lives of children with disorders of the brain.

At Kennedy Krieger, nurses are a critically important part of an interdisciplinary team of professionals. More than 250 nurses and nurse technicians work in clinical and school settings throughout the Institute, including Registered Nurses, Nurse Technicians, Infection Preventionist, Nurse Practitioners, Case Managers, Employee Health Nurses, School Nurses, and more.

Treatment teams include partnerships with:

- Case managers
- Nutritionists
- Psychologists
- Physicians
- Social Workers
- Therapeutic Recreation Specialists
- Child life specialists
- Occupational and Physical Therapists
- Respiratory Therapists
- Speech and Language Pathologists

In collaboration with other professionals, nurses work to stabilize, maintain, and improve the health of patients served by the Institute's various clinical and school programs. Additionally, nurses assist with pre-admission assessments, evaluations and treatments, and discharge planning, including preparing patients and families for discharge by arranging for home equipment, follow-up services and appointments for ongoing nursing, therapy, clinic and physician visits.

Rationale:

Before the pandemic, there was a global shortage in the healthcare workforce¹. Predictions forecast that employment demands in healthcare will grow faster this decade compared to all other occupations. Kennedy Krieger has felt the hardship of trying to recruit, hire and retain nurses. Currently the Institute has 23 nursing positions available.

¹ Figueroa CA, Harrison R, Chauhan A, Meyer L. Priorities and challenges for health leadership and workforce management globally: a rapid review. *BMC Health Services Research*. 2019;19(1) doi:10.1186/s12913-019-4080-7

In Maryland, all nurses must be certified by the Maryland Board of Nursing. The Board of Nursing has had many challenges, including the 2021 cyber-attack on the Department and internal staffing challenges. This certification process and the exacerbating factors, has caused lengthy delays for nursing candidates at the Institute.

The reforms outlined in HB611 offer a solution, albeit temporary, to assist the Board in expediting licensure and getting more nursing care workers quickly into the field. The legislation also paves the way for longer term solutions to improve the Board by identifying infrastructure and processing needs via the hire of a neutral outside consultant and mandated reporting of important data and other metrics.

The legislation allows Kennedy Krieger to retain nursing candidates when they are taking their National Council Licensure Examination (NCLEX). At the Institute, we have direct experience with nurse graduates failing their NCLEX test. Research has shown an increase in the number of new nurse graduates failing their boards across the country.² To continue to work, nurse graduates who have failed the NCLEX must apply for a certified nursing assistant (CNA) certificate to work as a nursing technician. When the CNA certificate is delayed in getting to the nurse graduate, we have no alternative but to place the employee on leave without pay.

Allowing the nurse graduate to retake the NCLEX without losing their nurse graduate status is essential to allow the new nurse graduate to stay engaged in patient care---that engagement has been shown to increase their likelihood of passing their boards. Additionally, doing so will not only prevent an unnecessary financial and emotional burden on the nurse graduate while they wait to retake their board, it will also assist us in maintaining safe staffing levels.

Kennedy Krieger Institute requests a favorable report on House Bill 611.

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² Dean, Bari Faye. Enhanced nursing licensure exam to launch in April amid rising fail rates. *Becker's Hospital Review*. 2023 February 7. <https://www.beckershospitalreview.com/nursing/enhanced-nursing-licensure-exam-to-launch-in-april-amid-rising-fail-rates.html>