



Committee: House Health and Government Relations Committee

Bill number: House Bill 611 – State Board of Nursing – Sunset Extension, Licensure Exceptions, and Board Operations and Membership

Hearing Date: February 9, 2023

Position: Letter of Concern

The Maryland Nurses Association is submitting this letter of serious concern about *House Bill 611 - State Board of Nursing – Sunset Extension, Licensure Exceptions, and Board Operations and Membership*. The Maryland General Assembly has been a strong partner of the Board of Nursing and the nursing profession during the most significant health care crises in our lifetimes. The Board of Nursing has faced the herculean task of overseeing the licensure and certification for 282,000 individuals, protecting patient safety, and navigating extremely complex policy issues raised because of the pandemic. The Board has struggled because of the volume of licensees and certificate holders and the long history of being under-resourced.

MNA agrees that that the State needs to support improvements in the Board’s functions, but fundamentally disagrees with the direction of HB 611. We believe that all health occupation boards, including the Board of Nursing, should be governed by their board members. This arrangement offers the strongest protection for consumers, as there is less risk to board decisions being politicized.

We, however, do recognize that the Maryland General Assembly likely intends to enact this legislation. With that in mind, we ask for consideration of some amendments that may partially address the objections of the nursing community:

- **The bill should retain the requirement that the Board’s executive director be a registered nurse:** This is imperative for the nursing community. One of the most critical functions of the Board is the development of policies and recommendation for registered nurses, the largest health care profession in the state. The Board’s Executive Director is constantly called upon by the Maryland General Assembly and State agencies to advise on nursing policy.
- **The bill should clarify that the Secretary does not have authority over policy or regulatory decisions.** The bill give the Secretary of Health authority over infrastructure functions. It is critical that the bill clarify that infrastructure functions do not include policy or regulatory functions. MNA would be opposed to providing the Secretary any

authority over these types of decisions. Such an arrangement would be unprecedented and would undermine the nursing profession.

- **The bill should require a significant investment of general funds to support the MBON's infrastructure.** The bill anticipates that there will be a much-needed investment of general funds to support the Board. However, the bill stops short of requiring the Governor to provide such funding. General fund support is needed to correct the chronic lack of support for the Board's basic functions such as phone systems, information technology, and even the Board's physical offices. No state agency can function effectively with such limited resources.

While outside of the scope of the bill, we ask that the Maryland General Assembly set the expectation that the Department of Health will work with all the boards, including the Board of Nursing, in a collaborative manner. We are optimistic that the incoming leadership of the Maryland Department of Health will recognize the critical role played by the boards. If the Department strengthens its relationships with the Boards, including the executive directors, the Maryland General Assembly can avoid legislation like HB 611 in the future.

Finally, we ask that the provisions of this bill be truly temporary. MNA does not support giving a Secretary of Health authority over the Maryland Board of Nursing. If HB 611 is enacted, we will strongly advocate for all authority be returned to the Board in the next sunset bill.

Thank you for the opportunity to express our serious concerns. The Maryland General Assembly has been one of our strongest partners in the State. While we may have different perspectives on HB 611, we know that we will continue to work together on the mutual goals of increasing access to health care for all communities, addressing the nursing professional shortage, and ensuring Maryland continues to move forward in advancing innovative models of care.

We would like to be part of any further discussions about HB 611, and we may be reached through Robyn Elliott, our governmental affairs representative, at relliott@policypartners.net.