

MedChi

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TO: The Honorable Joseline A. Pena-Melnyk, Chair
Members, House Health and Government Operations Committee
The Honorable Samuel I. Rosenberg

FROM: J. Steven Wise
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DATE: February 6, 2024

RE:**SUPPORT WITH AMENDMENT** – House Bill 425 – *Advanced Practice Registered Nurse Compact*

The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, **supports with amendment** House Bill 425.

House Bill 425 creates a Compact for Advanced Practice Registered Nurses (APRN), which includes Certified Registered Nurse Anesthetists, Nurse Midwives, Certified Nurse Specialists, and Nurse Practitioners (NPs). MedChi supports the use of compacts among health care professions as most ensure licensure in the State where the patient is located and simplify the licensure process for those who wish to work in multiple states.

One issue with the adoption of compacts is that the law contained in the compact may run counter to existing State law. For example, existing Maryland law requires that Nurse Practitioners “Consult and collaborate with, or refer an individual to, an appropriate licensed physician or any other health care provider as needed.” HO§8-101(m). However, the Compact overrides this provision, stating instead that “an APRN issued a multistate license is authorized to assume responsibility and accountability for patient care independent of any supervisory or collaborative relationship.”

Other provisions of the proposed compact further obfuscate the issue of whether Maryland law or the compact would control in this regard. On the one hand, the Compact requires an APRN to collaborate with other health care providers (p. 9, line 18). Yet it also carves out collaboration from the State practice law with which a Compact licensee must comply (p. 6, line 23; p. 9, line 32). One is left to wonder which provision prevails.

Perhaps the cleanest way to remedy this conflict is as follows: On page 6, strike lines 23-26. This would make Maryland’s laws on collaboration part of the “State practice laws” with which an APRN must

comply.

With this clarifying amendment, MedChi supports House Bill 425.

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