



# Maryland Board of Nursing

## Annual Report Fiscal Year 2023

Gary N. Hicks, MS, RN, CEN, CNE Board President  
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**Mission**

The mission of the Maryland Board of Nursing is to preserve the field of nursing by advancing safe, quality care in Maryland through licensure, certification, education, and accountability for public protection.

**Vision**

To serve as a national leader that works to inspire public confidence in the profession of nursing through championing regulatory excellence and revering human dignity.

**Core Values**

Accountability, Customer Service, Equity, Innovation, Integrity

## **Board of Nursing Strategic Goals FY 2021 – 2026 (5 Year Plan)**

### *Strategic Initiative 1 – Engagement*

Foster trust and collaboration with constituents and stakeholders through interactive communication, education, and engagement in nursing regulation.

### *Strategic Initiative 2 – Excellence in Regulation*

Implement evidence based regulatory standards and best practices in response to emerging national trends.

### *Strategic Initiative 3 – Technology Initiative*

Develop an engaging and interactive website for constituents and stakeholders. Modernize technological processes to improve customer service efforts. Adopt an easy to navigate enterprise program for applicants.

### *Strategic Initiative 4 – Compliance*

Maintain compliance with all oversight entities of the Board and achieve measurable results, accountability, efficiency, and continuous improvement in Board operations.

### *Strategic Initiative 5 – Accountability*

Enforce scope of practice standards as outlined by the Maryland Nurse Practice Act (NPA) and the Code of Maryland Regulations (COMAR). Conduct timely investigations of alleged violations of the law and rules. Hold license and certificate holders accountable for statutory and regulatory requirements.

## **Board Members**

Pursuant to Health Occupations Article § 8–202 the Maryland Board of Nursing (the “Board”) is composed of fourteen members appointed by the Governor: nine Registered Nurses (RN), one Licensed Nurse (either a Registered Nursing, Licensed Practical Nursing (LPN), or Advanced Practice Registered Nursing (APRN)), two Licensed Practical Nurses (at least one of which practices in a long–term care nursing facility), and two Consumers.

The nine RN members must consist of: (1) two APRNs; (2) one baccalaureate nursing educator; (3) one associate degree nursing educator; (4) one practical nursing educator; (5) one nursing administrator; (6) one nurse clinician with a master’s degree in nursing or public health; (7) one currently practicing nurse with five years of acute care experience; and (8) one currently practicing nurse with five years of experience as a delegating nurse in a supervised group living setting. Board members may serve two (2) consecutive four (4) – year terms.

Table 1 includes a complete list of current Board members, their position, and term expiration. Figure 1 illustrates the organizational structure of the Board.

**Table 1 – Current Board Members**

<b>Name</b>	<b>Position</b>	<b>Term Expiration</b>
Gary N. Hicks, RN	RN Member, Clinician, Board President	06/30/2024
Ann Turner, MSN, APRN – CNS, CCRN, CCNS	RN Member – Acute Care Nurse, Board Secretary	06/30/2025
Christine Lechliter, RN	RN Member, Nurse Administrator	06/30/2026
M. Dawne Hayward, RN	RN Member, Delegating Nurse – Group Living	06/30/2023
Emalie Gibbons Baker, CNM	Advanced Practice Member	06/30/2023
Charlene Harrod-Owuamana, LPN	LPN Member	06/30/2026
Susan Steinberg	Consumer Member	06/30/2026
Jacqueline J. Hill, Ph.D., RN, CNE	RN Member, Baccalaureate (BS) Nursing Educator	06/30/2026
Robin L. Hill, DNP, RN	RN Member, Practical Educator	06/30/2024
Heather V. Westerfield, DNP, RN, CNE, CMSRN	RN Member, Associate Degree Educator	06/30/2025
Audrey Cassidy	Consumer Member	06/30/2024
Susan K. Lyons, NP	Advanced Practice Member	06/30/2025

Figure 1 – Organizational Structure (as of July 2023)



## Introduction

The Board submits the following annual report for Fiscal Year 2023, as required by § 8–205 (a)(8), of the Health Occupations Article, Annotated Code of Maryland. All renewal numbers are from the biennial renewal year.

The Board is the agency charged with the regulatory oversight of the practice of nursing in the State. The Board operates under the Maryland Nurse Practice Act, set forth in Title 8 of the Health Occupations Article. The Board has the authority to adopt regulations as necessary to carry out provisions of the law. The Board is mandated to regulate the practice of Registered Nurses (RNs), Licensed Practical Nurses (LPNs), Advanced Practice Registered Nurses (APRNs), Certified Nursing Assistants (CNAs), Certified Medication Technicians (CMTs), Certified Dialysis Technicians (DTs)<sup>1</sup>, Licensed Electrologists (LEs), Licensed Direct Entry Midwives (DEMs), and Licensed Certified Midwives (CMs). *Additional definitions included in the Appendix.*

In Fiscal Year (FY) 2023, the Board regulated approximately 100,634 active licensees and 91,243 active certificate holders. *Additional statistics included in the Appendix.*

## Synopsis of Revenue and Expenditures

Annual Budget FY 2021	
Revenue	\$8,140,616
Expenditures	\$8,352,000

Annual Budget FY 2022	
Revenue	\$8,296,782
Expenditures	\$8,760,700

Annual Budget FY 2023	
Revenue	\$9,218,815
Expenditures	\$9,524,618

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## **Overview of the Board's Operations**

The Board's various operational units work collaboratively toward meeting the strategic goals and objectives that contribute to the Board's success. The following will provide a general summary of each unit and their responsibilities:

Administration maintains a record of Board proceedings and a public register of all licensed nurses. This unit also compiles the information, and drafts the required annual reports to the Governor and the Maryland General Assembly. In addition, this unit: (1) conducts outreach to and sponsors presentations and events for hospitals, nursing programs, and constituents to address their needs, (2) facilitates activities of Board advisory committees, and (3) responds to and fields customer inquiries related to complaints or other matters.

Background Review processes fingerprint-based criminal history record checks of applicants for initial, renewed, and reinstated licensure and certification.

Compliance oversees aspects of probation, and ensures that individuals fulfill their mandated Board orders. This includes: (1) tracking and analyzing progress updates from individuals who are subject to a Board order of probation, and (2) assessing continued competence of nurses, nursing assistants, and other allied health professions.

Discipline prepares orders of summary suspension and notices of agency action against individuals who have allegedly violated the Maryland Nurse Practice Act and the Board's regulations. This unit also tracks and manages charged cases, from the time of charging through final resolution. In addition, the Discipline unit archives all disciplinary actions taken by the Board and ensures compliance with all State and federal disciplinary reporting requirements. The Board has legal authority to grant a license or certificate, deny a license or certificate, grant a probationary license or certificate, reprimand the license or certificate, or suspend or revoke a license or certificate, and/or impose a monetary penalty.

Education analyzes and approves new and established education programs, which prepare nurses, nursing assistants, and other allied health professions credentialed in Maryland. This unit conducts school site visits to ensure education programs comply with applicable State laws and regulations.



Enforcement oversees complaints, investigations, and disciplinary actions against licensees and certificate holders who are found to have violated provisions of the Maryland Nurse Practice Act. This unit also provides alternatives to discipline, including monitoring and remediation.

Fiscal Services manages all of the Board's revenues and expenditures, ensuring financial management necessary to support all business activities and operations.

Information Technology (IT) maintains computer network systems for the Board, including safeguarding data and information, creating and updating necessary licensure databases, and providing assistance to Board staff with technological problems.

Investigation examines all allegations of violation(s) of the Maryland Nurse Practice Act and the Board's regulations. This unit prioritizes cases, collects evidence, and interviews witnesses to create a comprehensive report to aid in evidentiary hearings.

Legislative Affairs keep abreast of bills introduced during the legislative session that impact the Board's mission and the safe practice of nursing. This unit performs research and analysis of existing laws, regulations, and nursing policy and practice, and proposes amendments to statutes and regulations, as necessary, to reflect best practices in the field of nursing.

Licensure and Certification processes nursing applications for initial licensure by examination, interstate endorsement, and reinstatement. Additionally, this unit renews licenses and certificates biennially. This unit also ensures the safe practice of nurses that partake in interstate compacts, contracts or agreements through verification of state participation.

Public Information responds to requests for information related to licensing and certification, practice, education, and governance including providing reports that may be inspected by the public in accordance with applicable laws, such as the Maryland Public Information Act.

## **Description of the Board's Committees**

The Board currently has fourteen committees, as described below. Committees that are subject to the Open Meetings Act post meeting dates, agendas, and minutes on the Maryland Board of Nursing website, and may conduct their business in either open session or closed session.

Criminal History Records Check (CHRC) Committee: The purpose of the CHRC Committee is to review applicants with positive background checks and present recommendations to the Board. Staff members for the CHRC Committee serve as case managers by collecting court and probationary documents.

Case Resolution Conference (CRC) Committee: The purpose of the CRC Committee is to attempt to find and agree to resolution of charges of violation(s) of the Maryland Nurse Practice Act with a respondent, in lieu of an evidentiary hearing.

Certified Nursing Assistant (CNA) Advisory Committee (Health Occ. § 8-6A-13): The purposes of the CNA Advisory Committee is to: (1) review, discuss, and make recommendations to the Board on reports of investigation; (2) review and make recommendations for the approval of CNA/Geriatric Nursing Assistants (GNAs)/Certified Medication Technician (CMT) and Certified Dialysis Technician (CDT) training programs and review active certifications, and (3) develop and recommend regulations to enforce provisions of the Maryland Nurse Practice Act, applicable to CNAs, GNAs, Certified Medicine Aides (CMAs), CMTs, and CDTs.

Complaint Triage Committee (CTC): The purpose of the CTC Committee is to review incoming complaints. The CTC Committee decides the next action to be taken (if any) and, if it recommends investigation, assigns a priority level (1 – 4, with 1 being the highest priority). The CTC may also review previously triaged complaints to consider making a disposition recommendation to the Board before the investigation is concluded.

Direct-Entry Midwifery (DEM) Advisory Committee (Health Occ. § 8-6C-11): The purpose of the DEM Advisory Committee is to review applications of direct-entry midwives for licensure, and review renewal applications for completion of required Continued Education Units

(CEUs). In addition, this committee: (1) may investigate a complaint at the request of the Board; (2) prepares an annual report for the Board's review; (3) advises the Board on matters related to the practice of direct entry midwifery, and (4) makes recommendations to the Board regarding the Maryland Nurse Practice Act and applicable regulations.

Electrology Practice Committee (Health Occ. § 8-6B-05): The purpose of the Electrology Practice Committee is to: (1) review initial and renewal applications for licensure as electrologists and electrology instructors to ensure the application meets applicable requirements; (2) review electrology education programs for approval or disapproval, and make recommendations to the Board; and (3) make recommendations to the Board regarding applicable statutes and regulations governing the practice of electrology. In addition, at the request of the Board, this Committee may investigate complaints against licensed electrologists.

Forensic Nurse Examiners (FNE) Committee: The purpose of the FNE Committee is to facilitate the planning, development, implementation, and evaluation of FNE curriculum and training programs. In addition, this Committee: (1) fosters discussion and creates partnerships among FNE constituents, and (2) promotes and encourages research in the clinical practice of FNEs in the State of Maryland.

Legislative Committee: The purpose of the Legislative Committee is to review legislation presented during the legislative session and to submit written or oral positions and testimony on behalf of the Board. All written and oral positions and testimony submitted on behalf of the Board are presented to the Board at monthly meetings and either ratified by the full Board or, when possible, approved in advance of submitting the position or testimony.

Matrix Committee: The purpose of the Matrix Committee is to review applicants with positive criminal history backgrounds in accordance with a Board-approved Matrix and to administratively license and certify an initial applicant or close an investigation into a licensee or certificate holder who has applied for renewal, only if the applicant has met certain criteria. The Board has delegated the authority to the Executive Director to deliberate and take action on these cases.

Practice and Education Committee: The purpose of the Practice and Education Committee is to: (1) review site reports regarding education programs, and requests for

consultants, and (2) review and make recommendations to the Board related to practice and education issues.

Pre – Charge Case Resolution Conference Committee: The purpose of this Committee is to meet with respondents (and, if represented, their attorneys) regarding complaints received by the Board, prior to any charges being issued, and determine the disposition recommendations to be presented during the monthly Board meeting.

Probation and Reinstatement Review (PRR) Committee: The purpose of the PRR Committee is to review and make recommendations to the Board regarding: (1) violations or probation and requests from licensees and certificate holders to alter or amend existing probation orders, and (2) reinstatement requests.

Report of Investigation (ROI) Review Committee: The purpose of the ROI Review Committee is to review reports of investigation and prepare disposition recommendations to be presented during the monthly Board meetings.

Safe Practice Committee (Health Occ. § 8–208): The purpose of the Safe Practice Committee is to ensure patient safety by monitoring nursing professionals who are struggling with substance use disorders.

### **Direct Entry Midwifery Addendum**

Pursuant to Health Occupations Article § 8–6C–12(c), the Board, on behalf of the DEM Advisory Committee, must submit on December 1<sup>st</sup> of each year an annual report to the General Assembly. Specifically, pursuant to Md. Code Ann., Health Occupations Article § 8–6C–10(a), each DEM shall report annually certain information regarding cases in which the DEM assisted during the previous fiscal year when the intended place of birth at the onset of care was an out-of-hospital setting. The DEM Advisory Committee must submit a report to the Board summarizing the information included in the DEMs’ reports, and, in turn, the Board must submit this report to the Maryland General Assembly’s Senate Education, Health, and Environmental Committee and House Health and Government Operations Committee.

## Board Statistics and Updates

Pursuant to and in accordance with § 8–205(a)(8) of the Health Occupations Article, the Board submits the following information and data from the Fiscal Year 2023 (FY 23) period.

**Table I: Initial Licenses and Certificates Issued by the Board in FY23**

Description	Count
<i>Initial Licenses</i>	
Registered Nurses	6,763
Licensed Practical Nurses	705
Licensed Electrologists	3
Licensed Electrologists Instructor	0
Licensed Direct-entry Midwives	3
Licensed Certified Midwives	0
<b>Total</b>	<b>7,474</b>

<i>Initial Certificates</i>	
Certified Nursing Assistants	7090
Certified Medication Technicians	6895
<b>Total</b>	<b>13,985</b>

**Table II: Renewal Licenses and Certificates Issued by the Board in FY23**

Description	Count
<i>Renewal Licenses</i>	
Registered Nurses	40,628
Licensed Practical Nurses	5,158
Licensed Electrologists	1
Licensed Electrologists Instructor	0

Licensed Direct-entry Midwives (Licensing started in January, 2017)	0
Licensed Certified Midwives	0
<b>Total</b>	45,787

<i>Renewal Certificates</i>	
Certified Nursing Assistants	24,435
Certified Medication Technicians	8,977
<b>Total</b>	33,412

**Table III: Criminal History Records Checks in FY23**

<b>Description</b>	<b>Count</b>
Positive Criminal History Record Check	396
Negative History Record Checks	15,580
<b>Total</b>	15,976

**Table IV: Denial of Licenses and Certificates in FY23**

<b>Description</b>	<b>Count</b>
Positive Criminal History Record Check	1
Denial for other reasons	6
<b>Total</b>	7

**Table V: Complaints in FY23**

<b>Description</b>	<b>Count</b>
New Complaints Received in FY 23	1,210
Total Open Complaints, Including Cold Cases <sup>2</sup> (At end of FY 23)	6,269  Direct Entry Midwives – 13

<sup>2</sup> Definition of Cold Case: Any open investigative case that has been received by the Board from Fiscal Year (2017) or earlier.

	Electrologist – 5 Medication Technicians – 1,118 Licensed Practical Nurse/Registered Nurse/Advanced Practice – 3,266 Nursing Assistants – 1,867
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**Table VI: Most Common Grounds for Complaints in FY23**

\*Please Note: A total number of 530 complaints were tracked from November 2022 to June 30, 2023<sup>3</sup>.

Description	Percentage
Out of State (Reciprocal) Discipline	18%
Standards of Practice (Failure to Comply)	15%
Abandonment/Neglect	11%
Diversion/Substance Abuse	4%
Abuse	6%

**Table VII: Number and Types of Disciplinary Action Taken by the Board in FY23**

Description	Count
Total Suspensions (not for child support)	92  Continue Summary Suspension - 34 Summary Suspension - 49 Suspension Total - 9
Suspensions (for non-payment of child support)	4
Revocation	13
Reprimand	11
Probation	7
Denial of License or Certificate	7 (including 3 reinstatement denials)

<sup>3</sup> A new tracking system was created subsequent to the December 2021 Maryland Department of Health (MDH) cybersecurity incident. The percentages outlined in Table IV are based on the total number of complaints pulled from the new tracker.

Surrender of License for Violations	34
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**Table VIII: Work Region from Nurse Renewal Applications in FY23**

<b>County</b>	<b>Count</b>
Allegany	622
Anne Arundel	2,688
Baltimore City	7,387
Baltimore Co	5,184
Calvert	336
Caroline	77
Carroll	831
Cecil	401
Charles	464
Dorchester	138
Frederick	1,148
Garrett	155
Harford	1,118
Howard	1,324
Kent	122
Montgomery	4,871
Prince Georges	2,617
Queen Annes	117
Somerset	67



St. Mary's	365
Talbot	388
Washington	941
Wicomico	802
Worcester	247

**Table IX: Type of Workplace from Nurse Renewal Applications in FY23**

<b>Workplace</b>	<b>Count</b>
Addictions Treatment Center	146
Ambulatory Care Center	424
College/University	532
Comm Health	171
Employment Other Field	80
H.M.O.	21
Home Health	775
Hospice	168
Hospital	2,062
Industry	33
Insurance Agency	53
Long Term Care	1,009
Military	74
Not Employed in Nursing	134

Office Nursing	150
Other Employment in Nursing	502
Physician Practice	172
Private Duty	167
Private Practice	286
Rehab Center	256
Research	61
School Based Clinic	46
School System	212
Temporary Agency	52

**Table X: Work Region from CNA Renewal Applications in FY23**

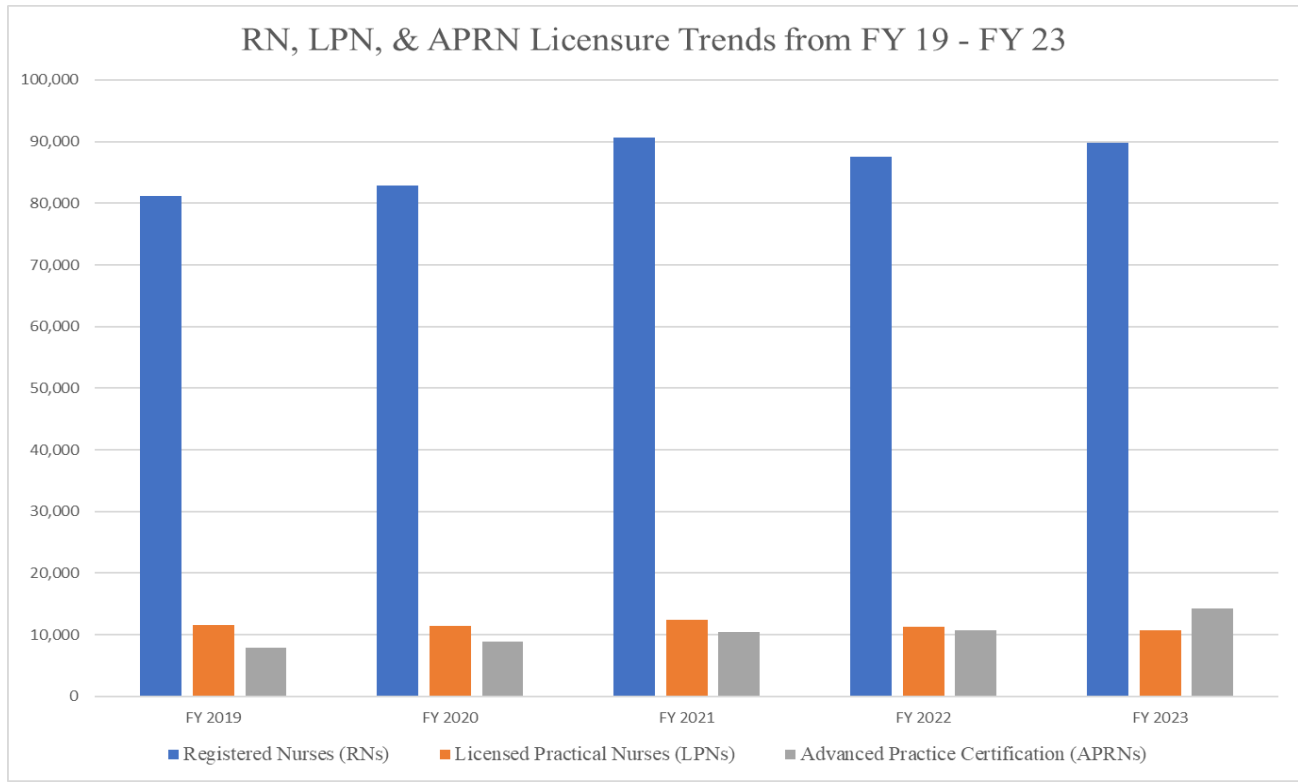
<b>County</b>	<b>Count</b>
Allegany	192
Anne Arundel	795
Baltimore City	2,331
Baltimore Co	2,205
Calvert	106
Caroline	57
Carroll	253

Cecil	122
Charles	198
Dorchester	121
Frederick	416
Garrett	88
Harford	286
Howard	440
Kent	45
Montgomery	2,954
Prince Georges	1,563
Queen Annes	38
Somerset	55
St. Mary's	207
Talbot	145
Washington	393
Wicomico	394
Worcester	80

**Table XI: Type of Workplace from CNA Renewal Applications in FY23**

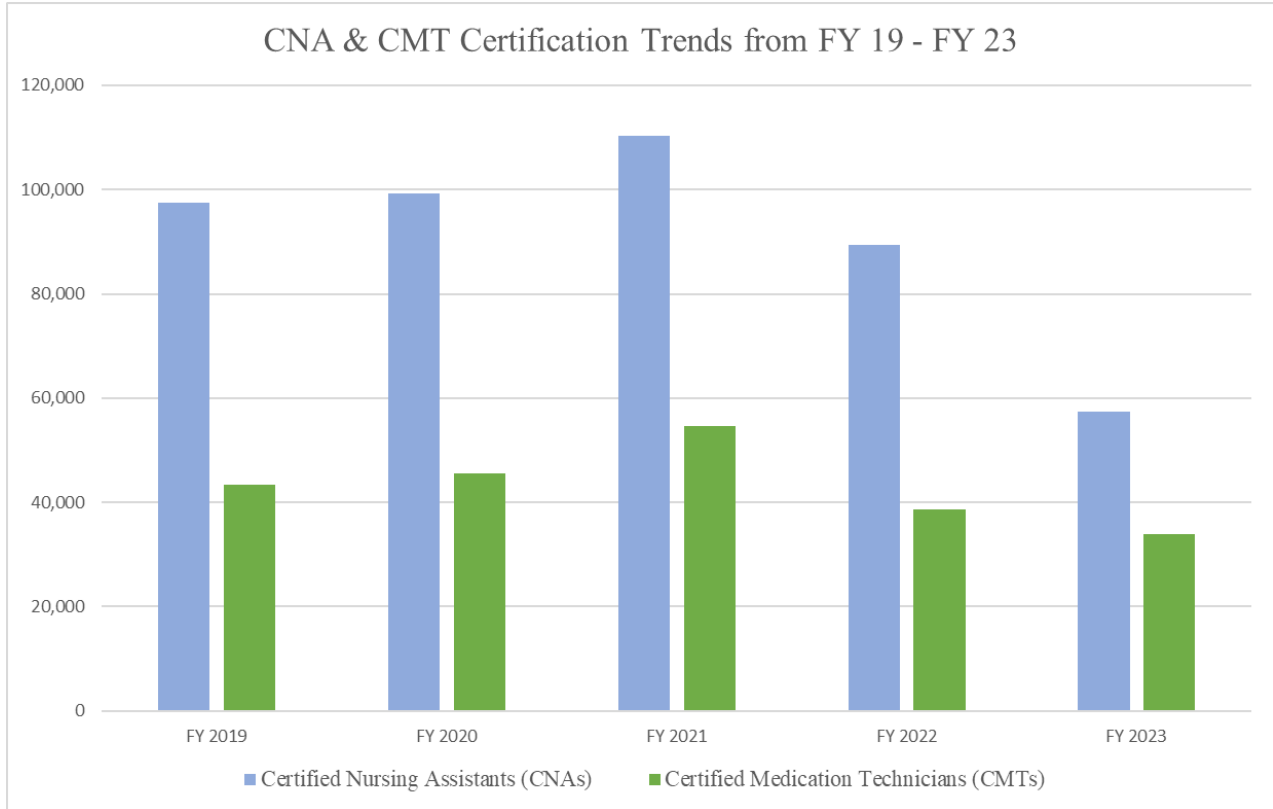
<b>Workplace</b>	<b>Count</b>
Assisted Living	2,985
DDA	712
Day Care	122
HMO-Office	375
Home Care	4,590
Hospice	371
Hospital	4,749
Independent	578
Long Term Care	4,766
Other	1,230
School Health	340

## Trends in Licensure & Certification



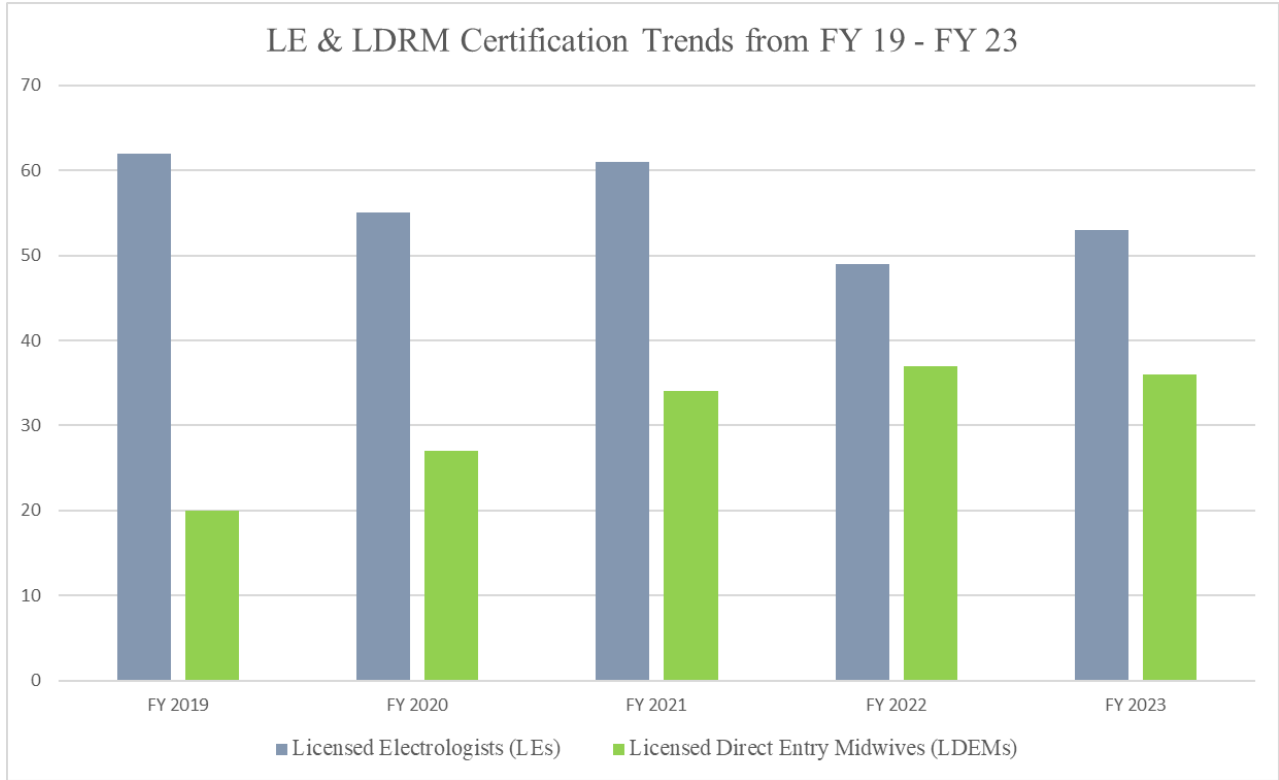
License	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Registered Nurses (RNs)	81,238	82,872	90,631	87,485	89,832
Licensed Practical Nurses (LPNs)	11,617	11,507	12,365	11,269	10,713
Advanced Practice Certification (APRNs)	7,958	8,851	10,417	10,774	14,310

The number of active RN licensees has increased from 81,238 in FY 19 to 89,832 in FY 23 (an 11% increase). The number of advanced practice certificate holders has significantly increased from 7,958 in FY 19 to 14,310 in FY 23 (an 80% increase). However, the number of active LPN licensees has decreased from 11,617 in FY 19 to 10,713 in FY 23 (an 8% decrease).



<b>Certification</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
Certified Nursing Assistants (CNAs)	97,413	99,168	110,402	89,459	57,394
Certified Medication Technicians (CMTs)	43,475	45,468	54,611	38,617	33,849

The number of active CNA certificate holders has decreased significantly from 89,459 in FY 22 to 57,394 in FY 23 (a 36% decrease). The number of CMT certificate holders has also decreased from 38,617 in FY 22 to 33,849 in FY 23 (a 12% decrease). These recent trends serve as an anomaly due to the previously increasing number of CNA and CMT certificate holders from FY 19 to FY 21.



<b>Certification</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
Licensed Electrologists (LEs)	62	55	61	49	53
Licensed Direct Entry Midwives (LDEMs)	20	27	34	37	36

The number of active LE certificate holders has decreased significantly from 62 in FY 19 to 53 in FY 23 (a 15% decrease). The number of active LDEM certificate holders, however, has increased steadily from 20 in FY 19 to 36 in FY 23 (an 80% increase)

## **Important Legislative Updates**

### Clinical Nurse Specialists

#### Health Occupations – Clinical Nurse Specialists – Prescribing

House Bill (HB) 278 and Senate Bill (SB) 213, Chapters 328 and 327 (2023), defines “clinical nurse specialist” and “practice as a clinical nurse specialist” for the purposes of authorizing clinical nurse specialists to prescribe drugs and durable medical equipment under regulations adopted by the State Board of Nursing; alters the definition of “authorized prescriber” for the purposes of the Maryland Pharmacy Act; and authorizes a licensed physician to personally prepare and dispense a prescription written by a clinical nurse specialist.

### Health Occupations Application Requirements

#### Health Occupations – Licenses, Certificates, and Registrations – Lawful Presence and Identification Numbers

House Bill (HB) 454 and Senate Bill (SB) 187, Chapters 376 and 375 (2023), prohibits a health occupations board from requiring that an applicant provide proof that the applicant is lawfully present in the United States or have a social security number of individual taxpayer identification number as a condition for licensure, certification, or registration; requires each health occupations board to require each applicant for a license to disclose the social security number or individual taxpayer identification number or, as permitted under federal law, provide alternative documents, record the number or alternative documentation in the application file; and include certain info in a list provided to the Department of Assessments and Taxation.

### Board of Nursing Infrastructure and Board Operations

#### State Board of Nursing – Sunset Extension, Licensure Exceptions, and Board Operations and Membership

House Bill (HB) 611 and Senate Bill (SB) 960, Chapters 222 and 223 (2023), continues the State Board of Nursing in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; alters the exceptions to the registered nursing and licensed practical nurse licensure requirements; provides that the Secretary of Health has authority over the infrastructure operations of the Board; prohibits the Board of Nursing Fund from being used to pay for infrastructure operations for a certain period of time; requires the Board to hire a consultant to conduct an independent evaluation of the Board; and requires that the terms of certain members of the Board end on certain dates.

### Licensed Certified Midwives

#### State Board of Nursing – Peer Advisory Committees, Scopes of Practice, and Licensure Requirements



House Bill (HB) 717 and Senate Bill (SB) 772, Chapters 368 and 367 (2023), authorizes the State Board of Nursing to appoint peer advisory committees to provide advice related to midwifery; authorizes nurse midwives and licensed certified midwives to personally prepare and dispense a starter dosage of certain drugs; authorizes nurse midwives and licensed certified midwives to delegate certain tasks to certified medication technicians and certified nursing assistants; alters the exceptions to the certified midwifery licensure requirements and the qualifications required for a license; and requires the Maryland Department of health, in consultation with stakeholders, to develop recommendations to expand access to birthing services in birthing centers.

### **Important Regulatory Updates**

#### Examination and Licensure (COMAR 10.27.01, .01, .03, and.17)

The proposed changes define and clarify terms such as “advanced practice registered nurse, former licensee, and nursing assistant; authorizes nursing graduates to practice for no more than 120 days under certain circumstances; requires the Board to issue a temporary license for no more than 90 days to a former licensee who applies for reinstatement; and alters the exceptions to the registered nursing and licensed practical nurse licensure requirements.

#### Certification of Nursing Assistants (COMAR 10.39.01, .01, .04, .05, and .09)

The purpose of this action is to authorize temporary nurse aides (TNA) who worked during the coronavirus pandemic under the Centers for Medicare & Medicaid Services (CMS) 1134 blanket waiver to apply on –the–job experience as a nurse aide toward the total number of training hours required for certification as a geriatric nursing assistant (GNA).

#### Electrology Practice Committee (COMAR 10.53.08 and .09)

The purpose of this action is to bring the Board’s regulations in conformance with the American Electrology Association’s Infection Prevention Standards (Rev. 01/2019), which are based upon recommendations by the Centers for Disease Control and Prevention and in conformance with the current standard of practice of electrologists.

#### Licensed Direct – Entry Midwives (COMAR 10.64.01.15)

The proposed amendment conforms the education requirements for direct–entry midwives to the 2018 legislation that added completion of a North American Registry of Midwives (NARM) Midwifery Bridge Certificate Program as an acceptable means of meeting education requirements for licensure.

#### Qualifications of Applicants for Examination (COMAR 10.27.01.05)

The proposed changes update the number of English language proficiency examinations accepted within the state and outline the overall and minimum passing scores in accordance with recommendations published by the National Council of State Boards of Nursing (NCSBN).

#### Delegation of Tasks (COMAR 10.27.28)

The proposed action provides for the manner in which an advanced practice registered nurse delegates a nursing or other technical task to an assistant and establishes limitations on the authority of an advanced practice registered nurse to delegate nursing or other technical tasks to an assistant.

#### Criminal History Records Check (COMAR 10.27.01 and COMAR 10.39.01)

The proposed amendments extend the scheduled years in which applicants applying for a license or certificate renewal must complete their criminal history records check.

#### Dialysis Technicians (COMAR 10.39.06)

The proposed action establishes requirements for an approved dialysis technician training program and qualifications for certification and renewal for certified dialysis technicians.

### **Board Achievements in FY 23**

#### Network Reconnection

In December 2020, the Maryland Department of Health (MDH) experienced a debilitating ransomware attack, causing extensive disruptions to its operations over an extended period. Among the affected entities, the Board bore the brunt of this cybersecurity breach. However, the collaborative efforts of the Department of Information Technology (DoIT) and the MDH Office of Enterprise Technology (OET) proved instrumental in facilitating the restoration of licensing operations through an interim Wi-Fi based solution. With the collaboration of departments and additional resources, the Board has network connectivity as of June 30, 2023. The most notable result of network connectivity is the rapid pace at which individuals are now being licensed.

#### Operation Nightingale

On January 25, 2023, the Federal Bureau of Investigations (FBI) publicly announced its enforcement actions against a large-scale fraudulent nursing diploma scheme operated by Florida-based nursing education programs. The Board assisted the FBI through communications with Special Agent, Eddie Calienes of the U.S. Department of Health and Human Services, Office of Inspector General, throughout its criminal investigation and has been a national leader in conducting board investigations into fraudulent nursing credentials. The Board received accolades due to the systematic approach in identifying and dealing with those individuals who purchased fraudulent documentation. On April 2, 2023, David Benton, Chief Executive Officer of the National Council of State Boards of Nursing (NCSBN), requested permission from Board

President to share the Board's Operation Nightingale Questionnaire tool with its' members as a valuable resource in investigating fraudulent nursing education programs nationwide.

### Renewal of Recognition

Upon renewal of the Board's five-year U.S. Department of Education recognition, the Board, unfortunately, did not meet the criteria for approval. Understanding the importance of maintaining this recognition, the Board made an appeal and worked diligently with the National Advisory Committee on Institutional Quality and Integrity (NACIQI) to meet criteria for agency approval. After working through an extensive appeal process, the Deputy Under Secretary accepted the Board's compliance report and approved the Board's renewal of recognition as a reliable authority for the approval of nurse education for a period of 20 months, effective May 31, 2023.

### **Fiscal Year 2024 Goals**

#### Advanced Practice Registered Nurse Compact

The Advanced Practice Registered Nurse (APRN) Compact, adopted by the National Council of State Boards of Nursing (NCSBN) on August 12, 2020, allows an advanced practice registered nurse to hold one multistate license with the privilege to practice in other compact states. Senate Bill (SB) 439 and House Bill (HB) 475 introduced the Compact during the 2023 legislative session. SB 439, however, did not progress past its first reading. HB 475 did not progress past its first reading in the opposite chamber. In the interim, the Board, in partnership with the Maryland Nurses Association, the Maryland Academy of Advanced Practice Clinicians, the National Council of State Boards of Nursing, and other professional advanced practice nursing organizations, will work towards re-introducing the Compact during the 2024 legislative session.

#### English Language Proficiency Examinations

The Board, in collaboration with the Welcome Back Center of Suburban Maryland and World Education Services, evaluated testing formats that examined English language proficiency for internationally trained nurses. On July 27 and August 24, 2022, the Board voted to adopt overall and minimum passing standards that aligned with the National Council of State Boards of Nursing (NCSBN) recommendations. The following exams have been approved: Test of English as a Foreign Language Internet-Based Test (TOEFL iBT), International English Language Testing System (IELTS), Michigan English Test (MET), and Pearson Test of English (PTE) Academic, and

Occupational English Test (OET).

The Board submitted a formal proposal to the Maryland Department of Health (MDH) on November 9, 2022. The purpose of this action was to revise the English language proficiency examinations accepted by the Maryland Board of Nursing and to outline overall and minimum passing section scores. The proposal to amend COMAR 10.27.01.05 was printed in the June 30th issue of the Maryland Register with the comment period ending on July 31st, 2023. Due to substantive comments from stakeholders, the proposal was revised and resubmitted to MDH on August 9, 2023, and is currently under review.

#### Quarterly Board Newsletter

The Board hopes to publish a quarterly newsletter that will disseminate information to nurses, employers, healthcare providers, and the public concerning the laws and regulations that govern the practice of nursing in Maryland. The newsletter will provide information on current nursing regulation issues and trends, as well as the status of nursing education programs, licensure and nursing practice information, and disciplinary action taken against licensees who violated the Maryland Nurse Practice Act or applicable regulations.

#### **Hardships for the Board**

##### Current Staffing Conditions

At the start of FY 23, there were a total of 92 positions, 32 of those positions being vacant. During FY 23, there were a total of 12 successful onboardings, with 5 separations. At the end of FY 23, the number of vacant positions dropped to 25. The vacancy rate at the beginning of FY 23 was 35%, and 27% at the end. Although the decrease in vacancy rate showed improvement in staffing conditions, the Board continues to have difficulties filling vacant positions, particularly professional positions. Vacancies persist due to a high staff turnover rate and an inability to find qualified applicants or offer qualified applicants competitive salaries. The Board remains concerned that the lack of staff will negatively impact the efficiency of the Board's operations and customer service efforts. Despite nationwide staffing shortages, the Board continues to actively advertise and recruit for all open positions.

## Fiscal Analysis

The fees at the Board have remained unchanged since Fiscal Year 2008. A review of the Board's budgets for FY 22 through FY 23 indicate that expenditure continues to exceed revenue. Despite the Board's increase in applicants per year to review, the revenues generated from these applications cannot sufficiently support the Board's operations. The Board hopes to complete a thorough fiscal analysis in FY 24.

**Table 3 – Comparison of Board Licensure Fees**

<b>Date of Fee Origin</b>	<b>Fee Description</b>	<b>FY 06<sup>4</sup></b>	<b>FY 08</b>	<b>FY 16</b>	<b>FY 22</b>	<b>FY 23</b>
09/30/1973	Registered Nurse (RN) & Licensed Practical Nurse (LPN) Licensure (Exam)	\$75	\$100	\$100	\$100	\$100
09/30/1973	RN & LPN Licensure (Endorsement)	\$75	\$100	\$100	\$100	\$100
09/30/1973	Temporary RN or LPN Licensure Fee	\$25	\$40	\$40	\$40	\$40
09/30/1973	Initial Advanced Practice (APRN) Certification			\$50	\$50	\$50
02/05/2001	Initial Certified Nursing Assistant (CNA) Certification			\$20	\$20	\$20
04/24/2006	Initial Medication Technician (MT) Certification			\$20	\$20	\$20
09/30/1991	Electrology Application			\$100	\$100	\$100
09/30/1973	Renewal of RN & LPN License	\$45	\$55	\$110	\$110	\$110
09/30/1973	Renewal of APRN Certification	\$5	\$5	\$25	\$25	\$25
02/05/2001	Renewal of CNA Certification			\$40	\$40	\$40
04/26/2006	Renewal of MT Certification			\$30	\$30	\$30
09/30/1991	Electrology Renewal			\$200	\$200	\$200

<sup>4</sup> Please note that Fiscal Years (FY) 2006 through 2008 reflect a one (1) year renewal cycle. A biennial or two (2) year renewal cycle was adopted after FY 2008.

## Appendix

### Definitions – Licenses, Certificate Holders, Nursing Disciplines

- a) Advanced Practice Registered Nurses (APRN) – a registered nurse who has a master’s, post-master’s certificate, or practice-focused Doctor of Nursing degree who is certified by the Board as: a certified nurse midwife (CNM), a certified registered nurse anesthetist (CRNA), a certified nurse practitioner (CRNP), or a clinical nurse specialist (CNS).
- b) Certified Dialysis Technician (DT) – an individual who is certified to provide care to patients with permanent kidney failure (end – stage renal disease).
- c) Certified Nurse Midwife (CNM) – a registered nurse with additional training as a midwife who delivers infants and provides prenatal and postpartum care, newborn care, and some routine care of women.
- d) Certified Nurse Practitioner (CRNP) – a registered nurse with additional training in completing comprehensive physical assessments of patients, as well as the diagnosis and management of acute and chronic diseases.
- e) Certified Nursing Assistants (CNA) – an individual who routinely performs nursing tasks delegated by a Registered Nurse (RN) or Licensed Practical Nurse (LPN).
- f) Certified Medication Technicians (CMT) – an individual who administers prescribed medications to patients and maintains related medical records under immediate supervision.
- g) Certified Registered Nurse Anesthetist (CRNA) – a registered nurse with additional training in providing anesthesia-related care in various healthcare settings (hospital surgical suites, obstetrical delivery rooms, pain management centers, etc.).
- h) Clinical Nurse Specialist (CNS) – a registered nurse responsible and accountable for diagnosis and treatment of health/illness states, disease management, health promotion, and prevention of illness and risk behaviors among individuals, groups, and communities.
- i) Forensic Nurse Examiner (FNE) – a nurse who is specially trained in sexual assault forensic care.
- j) Geriatric Nursing Assistants (GNA) – an individual who provides care for elderly individuals in the setting of a long-term care facility or nursing home.
- k) Licensed Certified Midwives (CM) – an individual who has received a bachelor’s degree in a health–related field other than nursing and has completed a graduate–level midwifery

degree program. This individual may conform to the same standards of practice as a CNM after passing the certification exam administered by the American Midwifery Certification Board. A nursing component (RN) is not required for this license.

- l) Licensed Direct Entry Midwives (DEM) – an individual educated in the discipline of midwifery through apprenticeship, self-study, a midwifery school, or a college/university-based program distinct from the discipline of nursing.
- m) Licensed Electrologists – an individual trained in the use of electrolysis (electric current) for removing moles, warts, or unwanted hair.
- n) Licensed Practical Nurses (LPN) – a nurse who has graduated from an accredited school of nursing and has become licensed to provide basic nursing care under the supervision of a physician or registered nurse.
- o) Registered Nurses (RN) – a nurse who has graduated from a college’s nursing program or from a school of nursing and has passed a national licensing exam. Additional disciplines within the expanded role of an RN include: a forensic nurse examiner (FNE) and a worker’s compensation case manager.
- p) Worker’s Compensation Case Manager (WCCM) – a nurse who is responsible for helping an injured worker to obtain the medical care he/she needs.

Table I: Active Status Licenses & Certifications by Type (as of July 3rd, 2023)

<b>Nursing</b>	<b>Count</b>
Registered Nurse	86,811
Licensed Practical Nurse	10,696
Temporary Registered Nurse	226
Temporary Licensed Practice Nurse	17
APRN/PMH	121
APRN – Clinical Nurse Specialist	115
Certified Registered Nurse Midwife	321
CRNA	928
CRNP – Acute Care	894
CRNP – Acute Care Pediatrics	119
CRNP – Adult	1,524



CRNP – Family	4,804
CRNP – Geriatric	103
CRNP – Neonatal	147
CRNP – OB/GYN	234
CRNP – Pediatrics	574
CRNP – PMH	1,871

Advanced Compact (AC) – APRN/PMH	7
AC – APRN – Clinical Nurse Specialist	6
AC – CRNA	266
AC – CRN – Midwife	56
AC – CRNP – Acute Care	136
AC – CRNP – Acute Care Pediatrics	16
AC – CRNP – Adult	191
AC – CRNP – Family	1,359
AC – CRNP – Geriatric	4
AC – CRNP – Neonatal	34
AC – CRNP – OB/GYN	46
AC – CRNP – Pediatrics	57
AC – CRNP – PMH	377
RN Forensic Nurse Examiner (FNE) – Adult (A)	99
RN FNE – Pediatric (P)	3
RN FNE A – P	86
RN – Worker’s Compensation Case Manager (WCCM)	314
AC – FNE – A	8
AC – FNE – A – P	2
AC - WCCM	230

<b>Medication Technicians</b>	<b>Count</b>
Medication Technician	33,849
Assisted Living	998
School Health	342
DDA	2,230
Juvenile Services	12

<b>Nursing Assistants</b>	<b>Count</b>
CNA	57,394
CNA – Geriatric Nursing Assistant	23,364
CNA – Certified Medicine Aide	1,159
CNA – Home Health Aide	40
CNA – Dialysis Technician	1,847
CNA – School Health	301
CNA – 90 – Day – Letter	1,060
CNA – End – 90 – Day – Letter	116
CNA – DT – 90 – Day - Letter	38

<b>Electrology</b>	<b>Count</b>
Electrologist	51
Electrologist Instructor	2

<b>Direct Entry Midwifery</b>	<b>Count</b>
Direct Entry Midwife	36