

**Maryland Board of Nursing**  
**4140 Patterson Avenue, Baltimore, MD 21215**

**Open Session Board Meeting Minutes**  
**February 26, 2020**

Name	Title	Present	Absent
<b>Board Members</b>			
Gary Hicks, RN	RN Member—Nurse Clinician, Board President	X	
Bonnie C. Oettinger, RN, MGA	RN Member—Delegating Nurse, Board Secretary	X	
Emalie J. Gibbons Baker	RN Member—APRN	X	
Charles Neustadt	Consumer Member	X	
Ann Turner, RN	RN Member—Acute Care	X	
Damare Vickers, LPN	LPN Member		X
Brenda Overton, RN	RN Member—Practical Nursing Educator		X
Lois Rosedom-Boyd	Consumer Member	X	
Jocelyn Lyn-Kew, LPN	LPN Member	X	
Mariah Dillon, RN	RN Member—APRN	X	
Jenell Steele, RN	Licensed Nurse Member	X	
Gregory David Raymond, RN	RN Member—Nurse Administrator		X
Laura V. Polk, Ph.D., RN	RN Member—Associate Degree Nursing Educator	X	
Jennette Logan, DNP, RN	RN Member—Baccalaureate Nursing Educator	X	
<b>Board Counsel</b>			
Katherine Giblin	AAG	X	
Lindsey Snyder	AAG	X	
Michael Conti	AAG	X	
<b>Board Staff</b>			
Karen E. B. Evans, MSN, RN-BC	Executive Director	X	
Rhonda Scott	Director of Discipline and Compliance/ Deputy Director	X	
Ciara Lee	Executive Assistant	X	
Karen M. Brown	PIA Coordinator	X	
Lakia Jackson	Paralegal	X	
Vacant	Director of Legislative Affairs		
Amber Havens	Discipline and Compliance	X	
Karen Hatwood	Compliance Coordinator		X





Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<ul style="list-style-type: none"> <li>• CNA Advisory Committee members have been invited to participate in the work group.</li> <li>• Have the legislative support from Senators Eckhart and Pendergrass.</li> </ul> <p>C. Review and Approve Open Session Minutes 2017-2019</p> <p>D. Requesting appointment approval of Kimberly Townsend to the Nurse Dispensing Committee.</p>	<p>N/A</p> <p>N/A</p>	<p>Motion to approve the open session minutes for 2017 and 2018 and the 2019 amendments that were made: Logan 2nd: Polk Motion passed unanimously.</p> <p>Motion to approve recommendation for Kimberly Townsend to be appointed to the Nurse Dispensing Committee: Polk 2nd: Boyd Motion passed unanimously.</p>

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		E. FYI - Alison Jenkins is the Board of Nursing staff representative to Nurse Dispensing Committee.	N/A	N/A
Consent Agenda		<p><i>Items A-D have been reviewed and recommended for approval by the CNA Advisory Committee. Item E has been reviewed and recommended for approval by the Practice and Education Committee.</i></p> <p>A. Initial Certified Nursing Assistant (CNA) Training Program Seeking Board Approval - None</p> <p>B. Renewal of Approved Certified Nursing Assistant (CNA) Training Programs:</p> <ol style="list-style-type: none"> <li>1. Howard Community College (CNA/GNA)</li> </ol> <p>C. Approval for Faculty for Certified Nursing Assistant (CNA) Training Programs:</p> <ol style="list-style-type: none"> <li>1. Melanie Boslego (R173811) Sherwood High School</li> <li>2. Joann Cuomo (R135852) Genesis Healthcare, The Pines Center</li> <li>3. Joann Cuomo (R135852) Genesis Healthcare,</li> </ol>	N/A	Motion to approve the Consent Agenda: Boyd 2 <sup>nd</sup> : Steele Motion passed unanimously.

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>Salisbury Rehab &amp; Nursing Center</p> <ol style="list-style-type: none"> <li>4. Joann Cuomo (R135852) Genesis Healthcare, Corsica Hills</li> <li>5. Donna Plante (R123092) Genesis Healthcare, Chesapeake Woods Center</li> <li>6. Donna Plante (R123092) Genesis Healthcare, Corsica Hills</li> <li>7. Donna Plante (R123092) Genesis Healthcare, The Pines Center</li> <li>8. Lindsey Hall (R209577) University of Maryland, Baltimore Washington Medical Center</li> <li>9. Heather Mason (R202593) University of Maryland, Baltimore Washington Medical Center</li> <li>10. Pamela Glenn (R121682) Cumberland Healthcare Center</li> <li>11. Jaime DeMoss (R170225) Cumberland Healthcare Center</li> </ol> <p>D. Approval for Change or Addition of Clinical Site for Approved Certified</p>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>Nursing Assistant Training Program:</p> <ol style="list-style-type: none"> <li>1. Howard Community College Nursing Assistant Training Program requesting to add Harmony Hall Assisted Living, 6336 Cedar Lane, Columbia, MD 21044, as an additional clinical site</li> </ol> <p>E. Request to update courses required for nursing students at Hagerstown Community College to apply for initial CNA certification (CNA Equivalency)</p>		
Education	Dr. Patricia Kennedy	<p><i>Item A was reviewed and recommended for approval by the Practice and Education Committee.</i></p> <p>A. Bowie State University Department of Nursing has a new Chair, Dr. Jacqueline Hill</p>	N/A	<p>Motion to approve Dr. Hill as the new chair for Bowie State University's Department of Nursing: Boyd 2nd: Steele Motion passed unanimously.</p>

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
Practice and Certification	Monica Mentzer	(Tabled)	N/A	N/A
Licensure	Alison Jenkins	<p><i>Items A-C have been reviewed and recommended for approval by the Practice and Education Committee.</i></p> <p>A. Harford Community College - new Nurse Faculty for Nurse Refresher Course – Natalie Bryson to teach both classroom and clinical components</p> <p>B. College of Southern Maryland Nurse Refresher Course  1. Course number changes only (not content)</p>	<p>N/A</p> <p>N/A</p>	<p>Motion to accept Natalie Bryson as new nursing faculty for the nurse refresher course at Harford Community College: Steele  2<sup>nd</sup>: Polk/Lyn-Kew  Motion passed unanimously.</p> <p>Motion to accept College of Southern Maryland's request to change the course number and essentially the course name: Boyd  2<sup>nd</sup>: Dillon  Motion passed unanimously.</p>



Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>2. New Nurse Faculty for Nurse Refresher Course - Deidre Wall</p> <p>C. University of Maryland Baltimore Washington Medical Center FNE-Adult Training Program</p> <p>D. Monthly Statistics provided.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Motion to accept Deidre Wall as nurse faculty at College of Southern Maryland: Turner 2nd: Logan Motion passed unanimously.</p> <p>Motion to accept the FNE Adult Training Program at University of Maryland Baltimore Washington Medical Center: Steele 2nd: Oettinger Motion passed unanimously.</p> <p>N/A</p>
Legislative Affairs	Rhonda Scott	<p>A. Bill Review</p> <p>1. Senate Bill (SB) 67</p> <ul style="list-style-type: none"> <li>• Cross-filed with HB 42, Public Information Act/Applications for Inspection/Responses</li> </ul>	N/A	Motion to ratify all positions taken by the Board's Legislative Committee

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>and time limits---MDH submitted a letter of opposition to this bill.</p> <ul style="list-style-type: none"> <li>The Bill alters the time period within which MBON would be required to respond to a PIA request from 30 days to 7 days.</li> </ul> <p>2. SB 83</p> <ul style="list-style-type: none"> <li>State government, delivery of notices and communication by electronic means-- -MBON took no position. The bill authorizes but does not require the Board to deliver notices or communications to constituents by electronic means.</li> </ul> <p>3. SB 103</p> <ul style="list-style-type: none"> <li>Cross-filed with HB 259; health occupations, diagnostic evaluation and treatment of patients, disciplinary actions---MBON submitted a letter of</li> </ul>		<p>regarding bills: Logan 2nd: Steele Motion passed unanimously.</p>

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>concern. The bill limits MBON's ability to discipline licensees for violations of the Nurse Practice Act and involves the provider utilizing diagnostic techniques that might be integrative and not necessarily labelled regularly labelled use.</p> <p>4. SB 245</p> <ul style="list-style-type: none"> <li>• Health occupations, social worker, scope of practice, supervision and application decision appeal process--- MBON took no position.</li> </ul> <p>5. House Bill (HB) 255</p> <ul style="list-style-type: none"> <li>• Cross-file SB 547, healthcare facilities, hospitals, and related institution discrimination protections---MBON took no position.</li> </ul> <p>6. SB 166</p> <ul style="list-style-type: none"> <li>• Drugs and devices, electronic</li> </ul>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>prescriptions, controlled dangerous substances (CDS); this bill requires issuing an electronic prescription for CDS with certain exceptions---MBON supported the bill with amendments: removing the requirement for the Board to discipline a provider who did not issue an electronic prescription for CDS.</p> <p>7. HB 692</p> <ul style="list-style-type: none"> <li>• MDH submitted this bill addressing this with the amended language---MBON supported it.</li> </ul> <p>8. SB 297</p> <ul style="list-style-type: none"> <li>• Cross-filed with HB 483; Administrative Procedure Act, dispositions and summary suspensions, time periods---MBON opposed this bill.</li> </ul>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<ul style="list-style-type: none"> <li>• It would require MBON to issue a final appealable order on a summary suspension within 30 days from the issuance of the summary suspension, which is not feasible because at that time the Board would have to schedule the evidentiary hearing on the summary suspension, send notice of the hearing, hold the hearing, and then issue the final appealable order within 30 days. This also raises concern about the respondent's due process rights with regard to notice.</li> </ul> <p>9. HB 87</p> <ul style="list-style-type: none"> <li>• Cross-filed with SB 135, proposes public health, immunizations, minor consent, access to vaccines act---MBON</li> </ul>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>issued a letter of support.</p> <ul style="list-style-type: none"> <li>• This bill would promote access to vaccinations as well as decreasing the spread of communicable disease, and allows a 16 year-old who the provider has assessed as being mature enough to give informed consent.</li> </ul> <p>10.HB 317</p> <ul style="list-style-type: none"> <li>• Cross-filed with SB 541, mental health, involuntary admissions procedures---MBON submitted a letter of support.</li> <li>• MBON felt that this bill was necessary to help minimize the delay in access to mental health treatment.</li> </ul> <p>11.SB 274</p> <ul style="list-style-type: none"> <li>• Cross-filed with HB 340; state</li> </ul>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>government protection and information revisions, Maryland data privacy act---All four boards joined MDH with a letter of support including amendments. The amendments made the bill inapplicable to agencies that collect, process, or share personally identifiable information for the purpose of public health and public safety.</p> <p>12.HB 502</p> <ul style="list-style-type: none"> <li>• Cross-filed with SB 590; Public Information Act revisions---MBON submitted a letter of concern because the bill expands the authority of the PIA compliance board to resolve disputes between and applicant and an official custodian;</li> </ul>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>however, it would be unnecessary as under current law.</p> <ul style="list-style-type: none"> <li>• Applicants are able to resolve disputes through the Office of the Public Access Ombudsman, and ultimately, decreasing revenue for the Board if the compliance board waived or reduced fees for PIA requests.</li> </ul> <p>13. SB 402</p> <ul style="list-style-type: none"> <li>• Cross-filed with HB 448, discussing telehealth---MBON submitted a letter of support. This bill authorizes nurse practitioners to establish a practitioner-patient relationship through electronic communication as well as real-time interactions.</li> <li>• Promotes access to care, particularly in rural areas.</li> </ul>		



Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>14. SB 406</p> <ul style="list-style-type: none"> <li>• Cross-filed with HB 425, discusses criminal procedures, sexual assault, evidence kits, privacy, reimbursement, and notification---MBON took no position.</li> </ul> <p>15. SB 545</p> <ul style="list-style-type: none"> <li>• Cross-filed with HB 656, pharmacists' administration of self-administered medications and maintenance injectable medications---MBON submitted a letter of opposition.</li> <li>• This bill does not define maintenance injectable medication.</li> <li>• It poses a risk between communication between the pharmacist and the health care provider and could possibly exclude the</li> </ul>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>healthcare practitioner</p> <ul style="list-style-type: none"> <li>• It also requires that the Board would adopt regulations that waive the training requirement for pharmacists who completed the relevant medication training as part of the pharmacist's formal training program.</li> </ul> <p>16.SB 576</p> <ul style="list-style-type: none"> <li>• Cross-filed with HB 691, discussing health occupations, nurse-practitioner, certifications of competency and incapacity---MBON submitted a letter of support.</li> <li>• The bill was passed, which would prevent substantial delays in treatment, particularly in long-term care settings where nurse-practitioners are typically independently</li> </ul>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>managing the care of these patients daily.</p> <p>17.SB 611</p> <ul style="list-style-type: none"> <li>• Cross-filed with HB 782, discussing health, mental, and emotional disorders, consent---MBON submitted a letter of opposition.</li> <li>• This bill would allow a child of any age to consent to consultation, diagnosis, and treatment of mental emotional disorder.</li> </ul> <p>18.HB 820</p> <ul style="list-style-type: none"> <li>• Bill discusses child abuse and neglect, training of healthcare professionals--- MBON took no position.</li> </ul> <p>19.HB 850</p> <ul style="list-style-type: none"> <li>• Bill discusses longitudinal data system for transfer of student data modifications---MBON took no position.</li> </ul> <p>20.HB 331 &amp; HB 617</p>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<ul style="list-style-type: none"> <li>• Purpose of HB 331 is expanded by HB 617; this bill allows for the administration of medical cannabis to children on school campuses.</li> <li>• Requires the Department of Education and the Cannabis Commission to jointly develop guidelines for public schools on the administration of medical cannabis during school hours, school-sponsored afterschool activities, and on school buses to students who are qualifying patients.</li> <li>• Required to be done by December 1, 2020</li> <li>• MBON was not included in the initial language of HB 331 nor HB 617</li> <li>• A letter of concern was submitted for many reasons:</li> </ul>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<ol style="list-style-type: none"> <li>1. Limited research on use of medical cannabis</li> <li>2. Limitation on the resources that nurses would have to administer</li> <li>3. Nurse exclusion from education of other nurses in order to administer this medication safely</li> <li>4. One amendment was received by MBON from the Cannabis Commission and another from the bill sponsor (predated the meeting) on February 25, 2020.</li> <li>5. Delegate Pendergrass'</li> </ol>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>expectation is for MBON to work closely with bill sponsor and Cannabis Commission to make this happen</p>		
<p>Direct-Entry Midwives and Electrology</p>	<p>Monica Mentzer</p>	<p><i>Items B1-5 were reviewed and recommended for approval by the Practice and Education Committee.</i></p> <p>A. Direct Entry Midwife Advisory Committee - (see "Other")</p> <p>B. Electrology Practice Committee -</p> <ol style="list-style-type: none"> <li>1. Maria Denmark (E01217) on Inactive Status. Request to (1) place a non-renewed licensed electrologist on inactive status, and (2) to approve the Committee's decision, upon reconsideration, that the CEUs submitted with the licensee's renewal application do not meet the requirements for renewal of licensure</li> </ol>	<p>N/A</p>	<p>Motion to accept recommendation to place Maria Denmark as a nonrenewed licensed electrologist and place her on inactive status:  Oettinger  2nd: Polk  Motion passed unanimously.</p>

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>2. Request to deny CEUs for INR Seminar "Sleep Loss Epidemic: Understanding &amp; Managing Sleep Disorders"</p> <p>3. Request to remove a previously approved electrology school "Dectro California" posted on the MBON website</p> <p>4. Request to issue an initial Electrology License to Ms. Baila Pollack</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Motion to accept Committee's recommendation to deny CEU for INR seminar Sleep Loss Epidemic, Understanding and Managing Sleep Disorders: Logan 2nd: Lyn-Kew Motion passed unanimously.</p> <p>Motion to accept Committee's recommendation to remove Dectro California from Board's website: Steele 2nd: Polk Motion passed unanimously.</p> <p>Motion to accept Committee's recommendation to issue an initial electrology license</p>

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>5. Deborah Winter, E01457. Request to approve the Electrology Practice Committee's decision upon reconsideration, that the CEUs submitted with the licensee's renewal application do not meet the requirements for renewal of license</p>	N/A	<p>to Baila Pollack: Oettinger 2nd: Steele Motion passed unanimously.</p> <p>Motion to accept recommendation to deny CEUs and continue with inactive status: Steele 2nd: Lyn-Kew Motion passed unanimously.</p>
Other	Ms. Karen E.B. Evans	<p>A. Licensing Certified Midwives in Maryland (Tabled)</p> <p>B. DEMS Committee, review changes to regulations (Tabled)</p> <p>C. US Department of Education Update</p> <ul style="list-style-type: none"> <li>• MBON has completed the application for USDOE, and will go to Alexandria, VA to obtain the final report concerning the status of MBON's renewal tomorrow</li> </ul>	N/A	N/A



Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
	<p>Ms. Beverly Lang, NPAM</p> <p>Mr. Don Balasa, Legal Counsel, American Association of Medical Assistants</p> <p>Ms. Tonya Applebee, President, Nurse Practitioner Association</p>	<p>2/27/2020. Board will be notified of the status when provided.</p> <p>D. HB936 Health Occupations Nurses-Delegation of Nursing Tasks</p> <ul style="list-style-type: none"> <li>• Providing clarification on the proposed HB legislation regarding delegation and CNA tasks.</li> <li>• MBON concerns:               <ol style="list-style-type: none"> <li>1. Number of certified CNAs would decrease in Maryland and become MAs to obtain more authority and delegation from physicians or nurse practitioners.</li> <li>2. The bill would allow RNs and LPNs to delegate tasks that are not under the scope of the CNA.</li> </ol> </li> <li>• MBON's recommendation:               <ul style="list-style-type: none"> <li>○ D except as provided in regulations adopted by the Board under Subsection E of this section, nothing in this section shall preclude an</li> </ul> </li> </ul>	<p>Mr. Hicks asked Mr. Lang and team to revise bill proposal by adding in MBON's recommendations regarding LPN and RN delegation and CNA delegating tasks, then bring back to the legislative committee (Thursday) and Board for review and approval.</p> <p>MBON will forward current status to Delegate Krebs for decision to support.</p>	<p>N/A</p>

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>Advanced Practice Registered Nurse from delegating nursing -- delegating nursing and/or technical task provided that, one, the assistant performs only the task that the assistant is trained to perform and, two, the delegating Advanced Practice Registered Nurse provides. One, instruction to the assistant on the delegated task and, two, on-site supervision of the assistant performing the delegated task; E, the Board shall adopt regulations to carry out Subsection D of this section, including regulations that, 1, delineate, sorry, the scope of Subsection D in this section, 2, provide for the manager or delegating nurse or</p>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>other technical tasks to an assistant by an Advanced Practice Registered Nurse, and, 3, establish limitations on the authority of an Advanced Practice Registered Nurse to delegate nursing or other technical tasks to an assistant.</p>		
Audience Inquiry	Lauren Bateman	<p>License holder has a reprimand on her license from 9 years ago and is having difficulty obtain a job. Concerned that the reprimand is stated as if it is current, which is prohibiting her from receiving job offers.</p>	N/A	N/A
Adjournment	Board	<p>President Gary Hicks walked through the written statement that is required by the Open Meetings Act.</p>		<p>At 10:23 a.m., motion to close open session pursuant to the statutory authority and reasons cited in the written statement: Boyd 2<sup>nd</sup>: Steele</p>

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
				Motion passed unanimously.
Summary of February 26, 2020 Closed Session pursuant to the Open Meetings Act	N/A	<p>Closed session was held from 10:55 a.m. to 1:45 p.m. at 4140 Patterson Avenue, Baltimore MD 21215. The same Board members present for the open session were present for the closed session (unless recused from a particular matter). The authority for the closed session was Md. Code Ann., Gen. Prov. § 3-305(b)(13) in order to discuss confidential matters involving applicants for licensure/certification that are prohibited from public disclosure pursuant to Md. Code Ann., Health Occ. § 8-303(f), Health Occ. §§ 1-401 <i>et seq.</i>, and/or Gen. Prov. § 4-333. The topics actually discussed were confidential matters involving applicants for licensure/certification.</p> <p>[During the closed session, the Board also performed quasi-judicial and administrative functions involving disciplinary matters that are not subject to the Open Meetings Act.]</p>	N/A	<p>The Board voted to take the following actions regarding confidential matters involving applicants:</p> <ul style="list-style-type: none"> <li>• License 1 RN Applicant;</li> <li>• Accept a Consent Order of Denial for 1 RN applicant;</li> <li>• Take no action regarding 2 RN applicants;</li> <li>• License 1 LPN Applicant;</li> <li>• Certify 1 CNA Applicant with a PAL;</li> <li>• Certify 1 CNA</li> </ul>

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
				Applicant; and <ul style="list-style-type: none"> <li>• Certify 2 MT applicants.</li> </ul>