



# Board of Nursing

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

## OPEN SESSION MINUTES FEBRUARY 23, 2022 BOARD MEETING

Held at the Maryland Board of Nursing,  
4140 Patterson Avenue, Baltimore, MD 21215,  
and VIA Conference Call

### Attendance

NAME	TITLE	PRESENT	ABSENT
<b>Board Members</b>			
Gary Hicks, RN	RN Member (Clinician), Board President	X	
Gregory Raymond	RN Member, Board Secretary	X	
Nicole Beeson	RN Member (Nurse Administrator)	X	
M Dawne Hayward, RN	RN Member (Delegating Nurse—Supervised Group Living)	X	
Emalie Gibbons Baker, CNM	APRN Member	X	
Susan K. Lyons, NP	APRN Member	X	
Jacqueline J. Hill, Ph.D., RN, CNE	RN Member (Baccalaureate Nursing Educator)	X	
Robin L. Hill., DNP, RN	RN Member (Practical Nursing Educator)	X	
Charlene Harrod-Owuamana, LPN	LPN Member	X	
Damare Vickers	LPN Member		X
Susan Steinberg	Consumer Member	X	
Audrey Cassidy	Consumer Member	X	
<b>Board Counsel</b>			
Michael Conti	Assistant Attorney General	X	
Rachel Morris	Board Counsel Law Clerk	X	
<b>Board Staff</b>			
Karen E.B. Evans	Executive Director	X	

Rhonda Scott	Deputy Director	X	
Leslie Johnson	Executive Assistant	X	
Karen Brown	PIA Coordinator	X	
Iman Farid	Health Policy Analyst	X	
Monica Mentzer	Manager of Practice	X	
Joyce Cleary	CNA Training Programs	X	
Sheila Green	Education Consultant	X	
<b>Others</b>			
Kevin Hefener	Beacon University	X	
Kathleen Wisser	Notre Dame of Maryland University	X	
Judith Feustle	Stevenson University	X	
Tijuana Griffin	Washington Adventist University	X	

### Open Session

1. **Call to Order:** Cassidy made a motion to go into open session. Turner seconded the Motion. The motion passed unanimously. The open session began at 9:08 a.m.
  - A. Roll call and declaration of quorum: A roll call of the Board members was conducted, and a quorum of the Board was present.
  - B. Board of Nursing Updates: Karen Evans, Executive Director, provided updates regarding the following:
    - Evans, Scott, Hicks, and Turner met with legislator this week in regards to HB899 (shared the Boards position)
    - Evans has met with several groups (DaVita, CNO's, IT Works, Maryland Hospital Association and NCSBN)
    - California will be joining NURSUS in March
    - Evans met with a group of chief nursing officers to discuss concerns they have regarding assistive personnel and clarified a the distinction between the CNA and GNA
    - Evans also met with the forensic nurse examiners regarding their concerns about having a program that is both adult and pediatric (totaling three different training programs: adult/pediatric, adult and pediatric)
    - Hicks and Evans will be attending the NCSBN mid-year conference next month (March 2022)
    - Hicks confirmed that there is no delay in NCLEX testing
    - Evans attended the National Advisory Council on Nursing Education and Practice (the focus of the meeting is the workforce in the nursing arena)
    - Evans met with NCSBN (focus of the meeting was the workforce shortage for advance practice nurses, LPNs, and RNs).
2. **Approval of Consent Agenda:** Raymond made a motion to approve the Consent Agenda. J. Hill seconded the motion. The motion passed unanimously.

*Items A through C were reviewed and recommended for approval by the CNA Advisory Committee and the Practice and Education Committee*

- A. Initial Certified Nursing Assistant (CNA) Training Program Seeking Board Approval:  
None
- B. Renewal of Approved CNA Training Programs:
  - Bethel HealthCare Inst. GNA
  - Future Care -Irvington GNA
  - Independent Dialysis Foundation CNA/DT
- C. Approval of Faculty for CNA Training Programs:
  - CCBC -Essex-Corrie Reed R212792
  - Chesapeake College-Marion Donahue R127785
- D. Approval of Change or Addition of Clinical Site for Approved CNA Training Programs:  
None

### **3. Discussion of Items Removed from the Consent Agenda**

- A. Beacon Institute (Karen Evans)
  - Gibbon-Baker made a motion to approve the changes that result in quizzes being taken in person during lab. R. Hill seconded the motion. Motion passed unanimously.
  - Beeson made a motion to approve Beacon University's CNA/GNA program with the changes mentioned. Hayward seconded the motion. Motion passed unanimously.
- B. Approval for Change or Addition of Clinical Site for Approved Certified Nursing Assistant Training Program:
  1. Heritage Care Inc, adding: Cadia Healthcare-Springbrook in Silver Spring Md and Cadia Healthcare-Wheaton in Silver Spring Md.
    - Westerfield made a motion to approve the two additional sites for Heritage Care, Incorporated. Cassidy seconded the motion. Motion passed unanimously.
  2. IT Works Learning Center, adding: Crescent Cities Nursing & Rehabilitation Center in Riverdale Md.
    - Gibbons-Baker made a motion to approve IT Works Learning Center to add Crescent Cities Nursing and Rehabilitation Center in Riverdale, Maryland. Beeson seconded the motion. Motion passed unanimously.
  3. Montgomery College, adding: Holy Cross Hospital in German Town Md., Friend's House Retirement Community in Sandy Spring, Md, and Manor Care Potomac in Potomac, Md.
    - J. Hill made a motion to approve Montgomery College to add Holy Cross Hospital in German Town, Maryland and Friend's

House Retirement Community in Sandy Spring, Maryland, Beeson seconded the motion. Motion passed unanimously.

4. Parkside High School, adding: Atlantis General Hospital in Berlin, Md.
  - R. Hill made a motion to approve Parkside High School adding Atlantic General Hospital in Berlin, Maryland. Hayward seconded the motion. Motion passed unanimously.

#### **4. Education (Dr. Sheila Green, Education Consultant)**

*Items A and B were reviewed and recommended for approval by the Practice and Education Committee*

##### **A. Bowie State University - Action Plan Progress Report**

- Raymond made a motion to approve the recommendations set forth by the Practice and Education Committee to accept the Bowie State University's Action Plan Progress Report that was submitted December 15, 2021 and to accept the consultant report concluded by Dr. Cynthia Bienemy. Also, Dr. J. Hill will submit the Bowie State University Nursing Education program curriculum revisions to the Board for staff review once approvals are completed in preparation for Fall 2022 implementation. Lastly, staff will submit the curriculum revisions to the Practice and Education Committee for any further recommendations for final determination by the Board. Westerfield seconded the motion. Motion passed. J. Hill has recused herself.

##### **B. Morgan State University Action Plan**

- Gibbons-Baker made a motion to approve the outlined plan for additional documentation from Morgan State University to include: compliance with COMAR 10.27.03.07 A and B, further explanation of the onboarding mentoring, development, and evaluation of new faculty, compliance with COMAR 10.27.03.12 specifically relating to Jenkins Hall, verification of the revisions to the curriculum in accordance with COMAR 10.27.03.13, and lastly verification of compliance with COMAR 10.27.03.14 as it relates to the well-being of students and stress levels related to COVID. As well as authorizing the Board to make a site visit. Hayward seconded the motion. Motion passed unanimously.

##### **C. Notre Dame of Maryland University Action Plan**

- Hayward made a motion to approve the action plan for the Notre Dame of Maryland University outlined and recommended by the Practice and Education Committee. Beeson seconded the motion. Motion passed unanimously.
- Gibbons-Baker made a motion to approve the education consultant, Karen S. Thacker, to work with Notre Dame of Maryland University on their action plan. Hayward seconded the motion. Motion passed unanimously.

##### **D. Stevenson University – Nursing Administrator Leadership Change Notification**

- Beeson made a motion to approve Dr. Judith Feustle as the interim department chair administrator for Stevenson University's nursing program. Westerfield seconded the motion. Motion passed unanimously.
- E. Frostburg University – Nursing Administrator Leadership Change Notification
- Gibbons-Baker made a motion to approve Dr. Platt for the Frostburg University nursing administration. Beeson seconded the motion. Motion passed unanimously.

**5. Certification** (Jaray Richardson, Manager, Certification)

None

**6. Licensure and Advanced Practice** (Carolyn Bailey, Manager, Renewals)

None

**7. Legislative Affairs** (Iman Farid, Healthy Policy Analyst)

A. February Legislative Memorandum

- HB 218: Health Occupations Nursing Dialysis Technicians. This bill repeals the requirement that a dialysis technician be certified as a certified nursing assistant. This bill additionally establishes a separate category for certified dialysis technicians and authorizes the Board to conduct site visits of certified dialysis technician training programs.
- HB 235: Open Meetings Definition Administrative Function. This bill excludes certain terms from the definition of "administration function" in the Open Meetings Act. The Board took no position.
- HB 246: Opening Meetings Act Notices, Closed Sessions, and Minutes Retention Periods, Online Posting, and Public Inspection. This bill alters the period of time the Board is required to retain a certain notice and written closing statement and requires the Board to post a written closing statement online or provide minutes or recordings to a requester in a certain manner and within a certain period of time. The Board took no position.
- HB 276 cross-filed with SB 513: Health Occupations Clinical Nurse Specialist Prescribing Authority. This bill authorizes clinical nurse specialists to prescribe drugs and durable medical equipment. The Board submitted a Letter of Support with Amendments.
- HB 219 cross-filed with SB 555: Occupational Licensing Boards and Commissions on Judicial Disabilities Reporting Disciplinary Activities. This bill would require the Board to collect certain demographic information related to disciplinary activities. The Board submitted a Letter of Concern.
- HB 219 cross-filed with SB 306: Dental Hygienists Consultation Requirements Health Care Practitioners. This bill would require a dental

hygienist to consult with certain types of healthcare practitioners before providing treatment to a patient. The Board took no position.

- HB 375 cross-filed with SB 269: Open Meetings Act Application and Enhanced Requirements. This bill repeals exemptions from the Open Meetings Act for independent and regional development units. It is established enhanced requirements for certain public bodies. The Board took no position.
- HB 407 cross-filed with SB 407: Health Occupations Health Care Staffing Shortage Emergency Declaration and Licensing and Practice Requirements. This bill authorizes the Secretary of Health to declare a healthcare staffing shortage emergency. It requires the Secretary to consider certain elements before declaring an emergency. This bill additionally requires the Board to establish processes for the issuance of initial or temporary licenses on an expedited basis. The Board submitted a Letter of Support with Amendments.
- HB 462 cross-filed with SB 159: Health Occupations Authorized Prescribers Reporting of Financial Gratuities or Incentives. This bill would require an authorized prescriber who receives a financial incentive from a pharmaceutical entity to file a financial disclosure form with the Board. The Board submitted a Letter of Information with Amendments.
- HB 533 cross-filed with SB 523: Occupations and Professions Licenses, Certificate and Registration Immigrants. This bill prohibits the Board from denying licensure or certification to an immigrant if the individual meets certain requirements. The Board submitted a Letter of Information.
- HB 618: Maryland Parental Rights Act. This bill prohibits an employee of a school district from withholding information related to a child's health and wellbeing from their parent and requires a healthcare practitioner to obtain the consent of a parent before providing service or prescribing medication. The Board took no position.
- HB 623: Income Tax Subtraction Modification Essential Health Care Workers. This bill allows essential healthcare workers to receive a subtraction modification of \$2000. The Board submitted a Letter of Support.
- HB 625 cross-filed with SB 440: Commission to Study the Health Care Workforce Crisis in Maryland Establishment. This bill establishes a commission to study the healthcare workforce crisis in Maryland to be charged with examining certain topic areas. The Board submitted a Letter of Support with Amendments.
- HB 643 cross-filed with SB 385: Health Disclosure of Medical Records Penalty. This bill alters the definition of "medical record" to include certain electronic data or information and alters the penalty for a healthcare provider that knowingly refuses to disclose a medical record within a certain period of time. The Board took no position.
- HB 669 cross-filed with SB 503: Maryland Medical Assistance Program Doula Services Coverage. This bill requires an individual to meet certain requirement before providing doula services and requires the Maryland

Medical Assistance Program to cover doula services. The Board took no position.

- HB 676: Handgun Permits Qualifications High Risk Occupation. This bill requires the Secretary of State Police to issue a certain permit to carry, wear, or transport a handgun to a person who is employed in a certain profession. The Board submitted a Letter of Information with Amendments.
- HB 821 cross-filed with SB 518: Career Pathways for Health Care Workers Program. This bill establishes the Career Pathways for Health Care Workers Program for the purpose of providing matching grants to eligible employers for training programs attended by healthcare workers. The Board submitted a Letter of Support with Amendments.
- HB 845 cross-filed with SB 623: Income Tax Subtraction Modification Income of Healthcare Workers. This bill allows certain healthcare workers to receive a subtraction modification of \$25,000. The Board submitted a Letter of Support with Amendments.
- HB 937 cross-filed with SB 890: Abortion Care Access Act. This bill establishes the Abortion Clinical Care Training Program in the Department of Health. It alters certain requirements regarding abortion services, including requirements related to who may perform abortions in the State. The Board took no position.
- HB 975 cross-filed with SB 696: Maryland Loan Assistance Repayment Program for Nurses and Nursing Workers Program Establishment and Funding. This bill establishes a loan assistance repayment program and funding source to assist certain nurses and nursing workers with the repayment of education loans. The Board submitted a Letter of Concern.
- SB 355: HIV Prevention Drugs Prescribing and Dispensing by Pharmacists and Insurance Requirements. This bill authorizes pharmacists to prescribe and dispense pre-exposure and post-exposure prophylaxis medication for the HIV prevention under certain circumstances. The Board submitted a Letter of Information.
- SB 435: Family Law Preventing or Interfering with a Report of Suspected Sexual Abuse of a Child State of Limitations. This bill establishes that an individual may be prosecuted at any time for intentionally preventing a mandatory reporter for making a report of abuse. The Board took no position.
- SB 865: Controlled Dangerous Substances and Treatment of Chronic, Pain, and Long-Term Oxygen Use Patients. This bill requires a provider to make an effort to maintain a previous dosage and regimen for a controlled dangerous substance and make certain referrals. This bill also establishes requirements for prescribers who treat patients who experience chronic pain or experience long-term oxygen therapy. The Board took no position.
- SB 899: Health Occupation Boards Authority Over Staffing and Infrastructure Operations. This bill would authorize the Secretary of Health to have power or authority over the Board's infrastructure

operations, and it additionally authorizes the Governor to appoint the Board's president. The Board submitted a Joint Letter of Opposition with sixteen other boards and commissions and provided oral testimony that was unfavorable.

- Steinberg made a motion to approve and ratify the positions taken by the Legislative Committee. Gibbons-Baker seconded the motion. Motion passed unanimously.

## **8. Direct-Entry Midwives and Electrology (Monica Mentzer, Manager, Practice)**

*Items A and B were reviewed by the Electrology Practice Committee. Items C and D were reviewed the Direct-Entry Midwifery Advisory Committee*

- A. Request to the Board for Approval of Reinstatement Application to Practice as a Licensed Electrologist Request for the Electrology License for Angelina Waight, LE (E01096)
  - R. Hill made a motion to approve the recommendation by the Electrology Practice Committee to approve reinstatement to practice as a licensed electrologist for Angelina Waight. Turner seconded the motion. Motion passed unanimously.
- B. Request to the Board to Deny the Reinstatement Application to Practice as a Licensed Electrologist Request for the Electrology License for Ann Marie Coscia, LE (E01385)
  - Hayward made a motion to approve the recommendation of the Electrology Practice Committee to deny the reinstatement application for electrology for Ann Marie Coscia. Turner seconded the motion. Motion passed unanimously.
- C. Request to the Board to Approve the Application for Initial Licensure to Practice Direct-Entry Midwifery for: Luisely Melecio-Zambrano
  - Gibbons-Baker made a motion to approve the recommendation of the Direct-Entry Midwifery Committee to approve the initial license for Luisely Melecio-Zambrano. R. Hill seconded the motion. Motion passed unanimously.
- D. Request to the Board to Approve the Application for Initial Licensure to Practice Direct-Entry Midwifery for: Felicia Renee Mc Mullen
  - Westerfield made a motion to approve the recommendation from the Direct-Entry Midwifery Advisory Committee to approve the initial licensure for Felicia Renee McMullen. Gibbons-Baker seconded the motion. Motion passed unanimously.

## **9. Quarterly Reports**

*(Quarterly Reports are presented during January, April, July, October)*

## **10. Other**

- A. USDOE Report
  - Compliance report completed and submitted

**Adjournment:** President Gary Hicks walked through the written statement required by the Open Meetings Act to close an open session. The written statement is attached. At 10:46 a.m., J. Hill made a motion to close the open session pursuant to the statutory authority and reasons cited in the written statement. Cassidy seconded the motion. Motion passed unanimously.

### **February 23, 2022 Closed Session Summary**

Closed Session was held from 11:12 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 et seq., and/or Gen. Prov. § 4-333. The topics actually discussed were confidential matters involving applicants for licensure/certification.

The Board voted to take the following actions during closed session:

- Review of applicants who are the subject of a complaint:
  - Issue a Default Order of Denial to 1 CNA applicant(s);
- Review of applicants with a criminal history:
  - Certify 5 CNA applicant(s);
  - Certify 1 MT applicant(s);
  - Certify 3 CNA applicant(s) and issue a Public Advisory Letter;

(During the closed session, the Board also performed quasi-judicial and administrative functions that are not subject to the Open Meetings Act and are therefore not summarized above.)