



Board of Nursing

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

OPEN SESSION MINUTES FEBRUARY 22, 2023 BOARD MEETING

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

Attendance

NAME	TITLE	PRESENT	ABSENT
Board Members			
Gary Hicks, RN	RN Member (Clinician), Board President		X
Ann Turner, RN	RN Member – Acute Care Nurse, Board Secretary		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 Hill, Ph. D., RN	RN Member (BS Educator)	X	
Healthier Westerfield, DNP, RN, CNE, CMSRN	RN Member (Associate Degree Nursing Educator)	X	
Susan Steinberg	Consumer Member	X	
Audrey Cassidy	Consumer Member	X	
Robin Hill, Ph. D., RN	RN Member (Practical Nurse Educator)	X	
Christine Lechlitter, RN	RN Member, Nurse Administrator	X	
Charlene Harrod-Owuamana, LPN	LPN Member	X	
Damare Vickers, LPN	LPN Member		X
Board Counsel			
Michael Conti	Assistant Attorney General	X	

Katherine Cumings	Assistant Attorney General	X	
Board Staff			
Karen E.B. Evans	Executive Director	X	
Rhonda Scott	Deputy Director	X	
Iman Farid	Health Policy Analyst	X	
Monica Mentzer	Manager of Practice	X	
Others			
Tijuana Griffin	Washington Adventist University	X	

Open Session

1. Call to Order: R. Hill made a motion to go into open session. Hayward seconded the Motion. The motion passed unanimously. The open session began at 9:22 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:

- Look-up-a-License is back up and running after being down for about a day-and-a-half.

2. Approval of Consent Agenda: Lyons made a motion to approve the Consent Agenda. Lechliter seconded the motion. The motion passed unanimously.

Items A and C have been reviewed and recommended for approval by the Practice and Education Committee

A. Initial Certified Nursing Assistant Training (CNA) Program Seeking Board Approval:

1. Atlantic General Hospital
2. Holy Cross Health

B. Renewal of Approved Certified Nursing Assistant Training (CNA) Programs:
None.

C. Approval for Faculty for Certified Nursing (CNA) Training Programs:

1. Bonnie Mannion, RN(R114156), Atlantic General Hospital
2. Karen Cooper, RN(R117477), Atlantic General Hospital
3. Ann Elaine Bergey, RN(R087181), Atlantic General Hospital
4. Nicole Morris, RN(R144506), Atlantic General Hospital
5. Laura Sturla, RN(DE-L10026620), Atlantic General Hospital
6. Heather Synder, RN(R249663), Atlantic General Hospital
7. Jennifer Barnaby, RN(R143864), Carroll Community College
8. Ericka Warnick, RN(R163036), Holy Cross Health
9. Sonya McGill Underwood, RN(R219194), Holy Cross Health
10. Surekha Machhi, RN(VA-0001215105), Holy Cross Health
11. Channa Lidie, RN(R185932), Holy Cross Health
12. Shevaun Nardo, RN(R131448), Holy Cross Health
13. Lakisa Ballard, RN(NC-205064), Holy Cross Health

14. Patricia Peyton, RN(VA-0001146338), Prince George's Community College

D. Approval for Change or Addition of Clinical Site for Approved Certified Nursing Assistant Training Program: None

3. Discussion of Items Removed from the Consent Agenda

None.

4. Education (Karen E.B. Evans, Executive Director)

A. U.S. D.O.E Update – FYI

1. Compliance report has been completed and submitted. Report is on the NACIQI consent agenda for approval in the next coming week.

B. Not Substantially Equivalent Schools

1. Carleen Health Institute of South Florida, West Palm Beach

- Cassidy made a motion to approve the request that Carleen Health Institute of South Florida – West Palm Beach is not substantially equivalent to Maryland schools. R. Hill seconded the motion. Motion passed unanimously.

2. Med-Life Institute, Lauderdale Lakes

- R. Hill made a motion to approve the request that Med-Life Institute – Lauderdale Lakes is not substantially equivalent to Maryland schools. Westerfield seconded the motion. Motion passed unanimously.

3. Myrielle School of Nursing, Palm Springs

- Cassidy made a motion to approve the request that Myrielle School of Nursing – Palm Springs is not substantially equivalent to Maryland schools. Lechliter seconded the motion. Motion passed unanimously.

4. Nursing Bridges Institute, Pensacola

- R. Hill made a motion to approve the request that Nursing Bridges Institute – Pensacola is not substantially equivalent to Maryland schools. Lyons seconded the motion. Motion passed unanimously.

5. Palm Beach International College, Lake Worth

- Cassidy made a motion to approve the request that Palm Beach International College – Lake Worth is not substantially equivalent to Maryland schools. Steinberg seconded the motion. Motion passed unanimously.

6. Suncoast College of Health, Bradenton

- Steinberg made a motion to approve the request that Suncoast College of Health – Bradenton is not substantially equivalent to Maryland schools. Cassidy seconded the motion. Motion passed unanimously.

7. Techni-Pro Institute, LLC., Boca Raton

- Steinberg made a motion to approve the request that Techni-Pro Institute LLC – Boca Raton is not substantially equivalent to

Maryland schools. Cassidy seconded the motion. Motion passed unanimously.

8. Siena College, Broward County

- Cassidy made a motion to approve the request that Siena College – Broward County is not substantially equivalent to Maryland schools. Lechliter seconded the motion. Motion passed unanimously.

9. Palm Beach School of Nursing, Palm Beach

- Cassidy made a motion to approve the request that Palm Beach School of Nursing – Palm Beach is not substantially equivalent to Maryland schools. R. Hill seconded the motion. Motion passed unanimously.

10. Sacred Heart International Institute, Broward County

- Steinberg made a motion to approve the request that Sacred Heart International Institute – Broward County is not substantially equivalent to Maryland schools. Cassidy seconded the motion. Motion passed unanimously.

C. IELTS Online

- R. Hill made a motion to offer the IELTS exam online as well as in person. Lechliter seconded the motion. Motion passed unanimously.

5. Certification (Jaray Richardson, Manager, Certification)

None

6. Licensure and Advanced Practice (Carolyn Bailey, Director of Licensure)

None

7. Legislative Affairs (Iman Farid, Health Policy Analyst)

A. February 2023 Monthly Legislative Memo

1. HB 196 cross-filed with SB 78: Health Occupations – Service Members, Veterans, and Military Spouses – Temporary Licensure, Certification, Registration, and Permitting. This bill requires health occupations boards to issue and expedited temporary license, certificate, or permit to a service member, veteran, or military spouse who meets certain requirements; requires each health board to include a check-off box prominently on an application form; and finally, this bill requires the Maryland Department of Health to publish information on its website. The Board submitted a Letter of Information with Amendments.
2. HB 266: Public and Nonpublic Schools – Bronchodilator and Epinephrine Availability and Use – Policies. This bill requires each county board of education and authorizes non-public schools to establish a policy to obtain, administer, and train school nurses and other school personnel to administer

in emergency situations bronchodilators to a student who is determined to have asthma and is experiencing asthma– related symptoms or is perceived to be in respiratory distress; this bill also requires each county board to update their policies to require school nurse and other school personnel to complete training before they are authorized to administer auto–injectable epinephrine to a student; and requires the State Department of Education to develop training for School personnel to identify symptoms of anaphylaxis, asthma, or respiratory distress. The Board submitted a Letter of Opposition.

3. HB 278 cross-filed with SB 213: Health Occupations – Clinical Nurse Specialists – Prescribing. This bill alters the definition of “clinical nurse specialist” and “practice as a clinical nurse specialist” for the purpose of authorizing clinical nurse specialists to prescribe drugs and durable medical equipment; this bill also 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. The Board submitted a Letter of Support with Amendments.
4. HB 352 cross-filed with SB 376: Health Occupations – Licensed Direct Entry Midwives – Previous Cesarean Section. This bill allows a licensed direct entry midwife to assume or take responsibility for a client who had a previous cesarean section; alters the required contents of a certain informed consent agreement; and requires the Board of Nursing, in consultation with certain stakeholders, to develop a transport protocol for clients who had a previous cesarean section. The Board submitted a Letter of Support with Amendments.
5. HB 453 cross-filed with SB 375: State Board of Physicians – Inactive and Emeritus Status. This bill authorizes the Board of Physicians to place a licensee on emeritus status; requires the Board to reinstate the license of an individual who is on inactive or emeritus status; exempts licensees who are on inactive or emeritus status from continuing medical education requirements; repeals the requirement that the Board of Physicians issue a license to an individual who is on inactive status; prohibits licensees who are on inactive or emeritus status from practicing, attempting, offering to practice, medicine, or delegate medical acts; and finally, it exempts licensees who are on emeritus status from the prohibition on persons using certain words or terms with the intent to represent that the person practices medicine. The Board took No Position.
6. HB 454 cross-filed with SB 187: Health Occupations – Licenses, Certificates, and Registrations – Immigrants. This bill prohibits a health occupations board from denying a license or certificate to an immigrant, if the individual meets certain requirements; and requires each applicant to disclose the social security number or individual taxpayer identification number. The Board submitted a Joint Letter of Support with Amendments.
7. HB 475 cross-filed with SB 439: Advanced Practice Registered Nurse (APRN) Compact. This bill enrolls the State of Maryland into the Advanced Practice Registered Nurse Compact; establishes criteria for participating

states; authorizes an APRN to practice in a party state under certain scope of practice rules; establishes the Interstate Commission of APRN Compact Administrators; requires the Compact Administrator of the state to make certain recommendations on the formation of the Commission; and provide for the amendment of and withdrawal of from the Compact. The Board submitted a Letter of Support.

8. HB 532 cross-filed with SB 370: Certified Nursing Assistants – Licensing Requirements and Administrative Updates. This bill requires a certified nursing assistant to complete an approved nursing assistant training program meeting certain requirements; this bill also requires the State Board of Nursing to provide certain notifications to geriatric nursing assistants and nursing homes regarding certain provisions of the NPA; and requires the Board to update the title of geriatric nursing assistants on the renewal of a license. The Board submitted a Letter of Support with Amendments.
9. HB 570: Public Health – Prescription Opioids – Deactivation System. This bill prohibits the dispensing of prescription opioids unless the dispenser provides a personal use pharmaceutical disposal system to the ultimate user at no cost; and authorizes the Department of Health to provide personal use pharmaceutical disposal systems to certain pharmacies. The Board took No Position.
10. HB 611: State Board of Nursing – Sunset Extension, Licensure Exceptions, and Board Operations and Membership. This bill extends to a certain date the termination provisions relating to the statutory and regulatory authority of the State Board of Nursing; alters the exceptions to the registered nursing and licensed practical nursing licensure requirements; provides that the Secretary of Health, for a certain period of time, 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 certain consultant to conduct an independent evaluation; and requires that the terms of certain members of the Board end on certain dates. For the first reading, the Board submitted a Letter of Concern. There were a few changes made to the bill. So, for the third reading, the Board will submit a Letter of Information.
11. HB 634 cross-filed with SB 602: Pubic Health – Sale of Diet Pills to Minors – Prohibition (Protecting Teenagers from Unregulated Diet Pills). This bill establishes prohibitions and requirements regarding the sale of diet pills to individuals under a certain age; requires the Department of Health to develop a notice with information about the potential risks of diet pills; and authorize the Department to establish limitations on which diet pills are subject to the provisions of this Act. The Board took No Position.
12. HB 703 cross-filed with SB 584: Public Health – Parkinson’s Disease Registry – Established. This bill establishes a Parkinson’s Disease Registry in the Department of Health; requires the Department to share certain information in the registry with certain entities under certain conditions; provides for the confidentiality of information collected; and requires the

Department to maintain a record of individuals granted access to confidential information in the Registry. The Board took No Position.

13. HB 717 cross-filed with SB 772: State Board of Nursing – Peer Advisory Committees, Scopes of Practice, and Licensure Requirements. This bill 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 exception so the certified midwifery licensure requirement and the qualifications required for a license; and finally, required the Department of Health, in consulting with stakeholders, to develop recommendations to expand access to birth series in birth centers. The Board submitted a Letter of Support with Amendments.
14. HB 344: Income Tax – Caregiver Tax Credit. This bill allows caregivers a credit against the state income tax for certain qualified expenses paid or incurred during a taxable year to provide care or support to certain qualified family members. The Board took No Position.
15. HB 378: Public Health – Vaccinations – Minor Consent. This bill states that a minor at least fourteen years old has the same capacity as an adult to consent to vaccination; authorizes minor under a certain age to consent to vaccination; and states that the capacity to consent does not include the capacity to refuse vaccination for which a parent or guardian has given consent. The Board took No Position.
16. SB 413: Apprenticeship 2030 Commission. This bill establishes the Apprenticeship 2030 Commission to examine and make recommendations to expand access to apprenticeships to reduce skill shortages in high-demand occupations and provide affordable training for career pathways for young people to participate in apprenticeships. The Board submitted a Letter of Information with Amendments.
17. HB 534: Preserve Telehealth Access Act of 2023. This bill extends to a certain date the inclusion of audio-only telephone conversations under the definition of “telehealth” for the purpose of reimbursement and coverage of telehealth by the Maryland Medical Assistance Program and certain insurance agencies; and extends to a certain date of requirements on the Program and certain insurance agencies to provide reimbursement for healthcare services provided through telehealth on a certain basis and at a certain rate. The Board took No Position.
18. SB 729: State Board of Nursing – Sunset Extension. This bill continues the State Board of Nursing in accordance with the provisions of the Maryland Program Evaluation Act, or sunset law, by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board. The Board will submit a Letter of Support and will testify favorably.
 - Lechlitter made a motion to approve or ratify the report. Cassidy seconded the motion. Motion passed unanimously.

- B. Letter to Deputy Secretary Schine (DOIT)-TABLED
- C. Amendments to COMAR 10.27.01 and 10.39.01 (CHRC)
 - Steinberg made a motion to approve the amendments to COMAR 10.27.01 and 10.39.01. Lechliter seconded the motion. Motion passed unanimously.

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

- A. Approval of an “Individual Transfer Care Plan Template” for Licensed Direct-Entry Midwives (for guidance purposes only)
 - Lyons made a motion to approve an Individual Transfer Care Plan Template for Licensed Direct-Entry Midwives. Steinberg seconded the motion. Motion passed unanimously.
- B. Approval of an updated Electrology Clinical Examination for Applicants for Initial Licensure to Practice Electrology
 - R. Hill made a motion to approve an updated Electrology clinical examination for applicants for initial licensure to practice Electrology. Lechliter seconded the motion. Motion passed unanimously.
- C. Approval of the updated Electrology Clinical Examination Results (Score Sheet and Answer Key)
 - Lechliter made a motion to approve the updated Electrology clinical examination results. R. Hill seconded the motion. Motion passed unanimously.
- D. Approval of Instructions for Electrology Examination to be included with the Application for Initial Licensure to Practice Electrology
 - 1. Cassidy made a motion to approve the instructions for Electrology Examinations to be included with the application for initial licensure to practice Electrology. Steinberg seconded the motion. Motion passed unanimously.
- E. Request to the Board to provide for an appointment to the Direct-Entry Midwifery Advisory Committee for a member who shall be a representative of the Maryland Hospital Association.
 - 1. Dr. Ann B. Burke, MD, FACOG MD License Number: D36793
 - Lyons made a motion to approve Dr. Ann B. Burke, D36793 for appointment to the Direct-Entry Midwifery Advisory Committee as a representative from Maryland Hospital Association. Lechliter seconded the motion. Motion passed unanimously.

9. Quarterly Reports

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

10. Other

None.

Adjournment: Acting Chair Jacqueline Hill walked through the written statement required by the Open Meetings Act to close an open session. The written statement is attached. At 10:16 am,

Cassidy made a motion to close the open session pursuant to the statutory authority and reasons cited in the written statement. Lechliter seconded the motion. Motion passed unanimously.

February 22, 2023 Closed Session Summary

Closed Session was held from 10:30 a.m. to 11:50 a.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:
 - Take no action on a complaint involving 4 RN applicant(s);
 - Take no action on a complaint involving 1 CRNP applicant(s);
 - Take no action on a complaint involving 1 LPN applicant(s);
 - Take no action on a complaint involving 1 CNA applicant(s);
 - Take no action on a complaint involving 1 MT applicant(s);
- Review of applicants with a criminal history:
 - License 3 RN applicant(s);
 - License 1 LPN applicant(s);
 - Certify 2 CNA applicant(s);
 - Certify 2 MT applicant(s);
 - Issue an Intent to Deny to 1 RN applicant(s).

The Board also held an evidentiary hearing involving 1 LPN applicant(s) and took an action concerning the applicant's application. The outcome of the Board's vote will be reflected on the applicant's Look-Up a Licensee page on the Board's website after the Final Order is issued.

(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.)