



Board of Nursing

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

OPEN SESSION MINUTES MARCH 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 Lechliter, 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	
Karen Brown	PIA Coordinator	X	
Patrice Burris	Executive Assistant	X	
Schenequa Brown	Executive Assistant	X	
Carolyn Bailey	Director of Licensure	X	
Lakia Jackson	Paralegal	X	
Iman Farid	Health Policy Analyst	X	
Monica Mentzer	Manager of Practice	X	
Valencia Jackson	Safe Practice	X	
Brian Stallsmith	IT Staff	X	
Others			
Tijuana Griffin	Washington Adventist University	X	
Jane Krienke	Maryland Hospital Association	X	
Shellie Williams	Kennedy Krieger Institute	X	

Open Session

1. **Call to Order:** Steinberg made a motion to go into open session. Gibbons-Baker seconded the Motion. The motion passed unanimously. The open session began at 9:10 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:
 1. Email received from the Forensic Nurse Examiners thanking the Board for all that they do and for their continued support.
 2. MBON has been asked to participate in a stakeholder meeting regarding CNA licensing requirements and administrative units.
 3. MBON will be going through a program evaluation with the Department of Legislative Services.
 4. Operation Nightingale: There is a link on the MBON homepage for all relevant information.
 - C. Review of Open Session Minutes: None.

2. **Approval of Consent Agenda:** Lechlitter made a motion to approve the Consent Agenda. Cassidy seconded the motion. Motion passed unanimously.

Items A through 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. Sterling Care Bethesda (CNA/GNA)

2. Sterling Care Rockville (CNA/GNA)

B. Renewal of Approved Certified Nursing Assistant Training (CNA) Programs:

1. Anne Arundel Community College (CMA and CMA Update)
2. Caroline Career and Technology Center, Caroline County Public Schools (CNA/GNA)
3. Peace Healthcare at Lions Center (CNA/GNA)

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

1. Amy Lodge, RN(R207812)- CCBC
2. Kierra Thomas, RN(R232429)- CCBC
3. Susan White, RN(R090269)- Frederick County Career and Technology Center
4. Olga Hall, RN(R181888)- IT Works Learning Center
5. Judeith James, RN(R241142)- IT Works Learning Center
6. Tammy Richardson, RN(R201452)- IT Works Learning Center
7. Kaycee Rump, RN(R194253)- IT Works Learning Center
8. Yvette Wood, RN(R190027)-IT Works Learning Center
9. Jennean Hodge, RN(R136352)- Renaissance Health Institute
10. Pamela Glenn, RN(R121682)- Sterling Care-Bethesda
11. Esther Nakagiri, RN(R164450)- Sterling Care-Bethesda
12. Pamela Glenn, RN(R121682)- Sterling Care-Rockville
13. Esther Nakagiri, RN(R164450)- Sterling Care-Rockville
14. Toni Phillips, RN(R176803)- University of Maryland Medical Center-Downtown Center
15. Toni Phillips, RN(R176803)- University of Maryland Medical Center-Midtown Campus
16. Kathleen Moylan, RN(R199208)- U.S. Renal Care

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. District of Columbia Forensic Nurse Examiners Training Program

- Gibbons-Baker made a motion to approve the District of Columbia's Forensic Nurse Examiners Training Program pending submission of instructor resumes. Westerfield seconded the motion. Motion passed unanimously.

B. USDOE Compliance Approval – FYI

- Approval received for the next 20 months to maintain USDOE accreditation.

5. Certification (Jaray Richardson, Manager, Certification)

None.

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

None.

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

A. March 2023 Monthly Legislative Memo

1. HB 732 cross-filed with SB 600: Health – Mental Health Care Provider Immunity and Establishment of Specialty Tertiary Care Psychiatric Programs. This bill establishes that certain mental health care providers have immunity from liability for certain actions related to harm to or from certain patients; and provides that the Maryland Department of Health is a “reporting agency” for purposes of certain provisions of law governing public-private partnerships under certain circumstances. The Board drafted a Letter of Information, however, did not have a chance to submit the letter because both the House and Senate bills were withdrawn by the bill sponsors.
2. HB 758 cross-filed with SB 789: Sexual Assault Evidence Collection Kits – Preservation and Storage. This bill alters requirements for the storage and preservation of sexual assault evidence collection kits; authorizes the Attorney General to direct a certain person to comply with Provisions of this Act; and authorizes the Attorney General to apply to a certain court for an order to show cause under certain circumstances. The Board took no position.
3. HB 759 cross-filed with SB 615: Governor’s Office of Crime Prevention, Youth and Victim Services – Sexual Assault Evidence Collection Kit Reporting Program. This bill requires the Governor’s Office of Crime Prevention, Youth, and Victim Services to establish and administer a reporting program relating to sexual assault evidence collection kits; and requires a person with control or possession of an evidence collection kit to report certain information to the program and comply with regulations. The Board took no position.
4. BH 808 cross-filed with SB 859: Reproductive Health Protection Act. This bill prohibits certain executive and judicial rules and actions related to legally protected health care; prohibits certain agencies from assisting in interstate investigation; and prohibits health occupations boards from disciplining a health care provider because of actions related to legally protected health care. The Board took no position.
5. HB 812 cross-filed with SB 786: Health – Reproductive Health Services – Protected Information and Insurance Requirements. This bill regulates the disclosure of information related to legally protected health care by certain individuals; repeals a provision of law authorizing a custodian to allow inspection of a home address of a licensee; requires that the regulations adopted by the Maryland Health Care Commission restrict data related to patients who have obtained legally protected health care; and alters the purpose of the Maryland Health Care Commission to

include policies that protect the confidentiality of certain health care information. The Board submitted a Letter of Information.

6. HB 906: Occupational Licensing and Certification – Criminal History – Prohibited Disclosures and Predetermination Review Process. This bill prohibits certain agencies from denying an occupational license or certificate to an applicant solely on the basis of the criminal history of the applicant and from requiring disclosure of actions on an application; and establishes a certain review process. The Board submitted a Letter of Opposition.
7. HB 953 cross-filed with SB 618: Public Health – Overdose and Infectious Disease Prevention Services Program. This bill establishes the Overdose and Infectious Disease Prevention Services Program; authorizes the Program to accept donations, grants, and other financial assistance; prohibits the location of the Program in certain areas; and prohibits certain persons from being subject to arrest, discipline, or certain penalties for involvement in the operation or use of services of the Program. The Board submitted a Letter of Opposition.
8. HB 956: Pregnant and Perinatal Drug Screening and Testing Workgroup. This bill requires the Secretary of Health to establish a Pregnant and Perinatal Drug Screening and Testing Workgroup to study and make recommendations relating to drug screening and testing of pregnant and perinatal patients and newborn infants. The Board submitted a Letter of Information.
9. HB 973: Health - Abortion – Ultrasound and Waiting Period. This bill prohibits a qualified provider from performing or inducing an abortion on a pregnant woman within a certain period of time after the woman receives certain ultrasound imaging; establishes certain requirements related to the performance of a trans abdominal ultrasound; and provides that a woman is not required to accept any materials offered during a trans abdominal ultrasound imaging. The Board took no position.
10. HB 978 cross-filed with SB 568: Criminal Law – Threat Against State or Local Official – First Responder: This bill includes first responders within the scope of certain prohibitions against making or delivering threats to take the life of, kidnap, or cause physical injury to certain officials. The Board submitted a Letter of Information.
11. HB 1148 cross-filed with SB 582: Behavioral Health Care – Treatment and Access (Behavioral Health Model for Maryland). This bill establishes the Commission on Behavioral Health Care Treatment and Access to make recommendations to provide appropriate, accessible, and comprehensive behavioral health services to individuals in the State; establishes the Behavioral Health Care Coordination Value-Based Pilot Program in the Maryland Department of Health; and extends to a certain date the inclusion of certain audio-only telephone conversations in the definition of telehealth. The Board took no position.
12. HB 1160 cross-filed with SB 774: Maryland Pathway to Nursing Program and Advisory Committee – Establishment. This bill establishes the

Maryland Pathway to Nursing Program in the Maryland Department of Health; requires the Secretary of Health to establish a pilot program; and establishes the Maryland Pathway to Nursing Advisory Committee to assist the Secretary in the development and implementation of the Program. The Board took no position.

13. HB 1161: Public Health – Human Papillomavirus Vaccine – Information and Informed Consent. This bill requires a health care provider, before each administration of a HPV vaccine to provide an individual or their guardian with a certain information sheet and obtain written consent. The Board took no position.
14. HB 1224: Public Schools – Medical and Psychological Treatment in School–Based Health Centers and Public Schools – Parental Notice. This bill requires certain school health practitioners employed by or under contract with certain entities to provide certain information to a student’s parent or guardian. The Board took no position.
15. SB 669: Registered Nurse Degree Apprenticeship Program Workgroup. This bill establishes the Registered Nurse Degree Apprenticeship Program Workgroup to study the feasibility of developing and implementing a registered nurse degree apprenticeship program in the State of Maryland. The Board submitted a Letter of Information with Amendments.
16. SB 949: Criminal Injuries Compensation Board – Victims of Non-fatal Strangulation. This bill authorizes the reimbursement of certain qualified health care providers and hospitals by the Criminal Injuries Compensation Board for certain forensic examination and health care services provided to a victim of non-fatal strangulation without charge. The Board took no position.
 - Hayward made a motion to approve the recommendations for the positions set for each bill outlined. Cassidy seconded the motion. Motion passed unanimously.

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

- A. Request for approval to update the Informed Consent for Birth with a Licensed Direct-Entry Midwife
 - Gibbons-Baker made a motion to approve the update to the Informed Consent and Disclosure for Birth with Licensed Direct-Entry Midwife. Steinberg seconded the motion. Motion passed unanimously.

9. Quarterly Reports

None.

10. Other

- A. Pediatric Nurse Practitioner discussion re: caring for patients over the age of 21 (No representatives present to discuss this topic, not addressed during this Open Session.)

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. Gibbons-Baker made a motion to close the open session pursuant to the statutory authority and reasons cited in the written statement. Steinberg seconded the motion. Motion passed unanimously.

March 22, 2023 Closed Session Summary

Closed Session was held from 10:00 a.m. to 6:36 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:
 - Take no action on a complaint involving 1 RN applicant(s);
 - Take no action on a complaint involving 1 LPN applicant(s);
 - Take no action on a complaint involving 1 CRNP applicant(s);
 - Issue an Intent to Deny to 1 RN applicant(s);
- Review of applicants with a criminal history:
 - License 1 RN applicant(s);
 - Certify 3 MT applicant(s);
 - Certify 4 CNA applicant(s);
 - License 1 RN applicant(s) and issue a Public Advisory Letter;
 - Certify 2 CNA applicant(s) and issue a Public Advisory Letter;
 - Accept a Consent Order granting the license under probationary terms for 1 RN applicant(s);
 - Accept a Consent Order of denial for 2 RN applicant(s);

(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.)