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MARYLAND BOARD OF NURSING

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OPEN SESSION

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The Maryland Board of Nursing board meeting was held on Wednesday, March 22, 2023, at 4140 Patterson Avenue, Baltimore, Maryland 21215, commencing at 9:10 a.m. before Edward Bullock, Notary Public in and for the State of Maryland.

REPORTED BY: Edward Bullock, Notary Public

AUDIO RECORDING TRANSCRIBED BY: Edward Bullock, DCR

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1 APPEARANCES:  
 2  
 3 MICHAEL CONTI, Assistant Attorney General  
 4 KATHERINE CUMMINGS, Assistant Attorney General  
 5 Office of the Attorney General  
 6 State of Maryland  
 7 Department of Health & Mental Hygiene  
 8 300 West Preston Street  
 9 Baltimore, Maryland 21201  
 10 410-767-3201  
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1 ALSO PRESENT:  
 2  
 3 KAREN E.B. EVANS, Executive Director  
 4 RHONDA SCOTT, Deputy Director  
 5 KAREN BROWN, PIA Coordinator  
 6 PATRICE BURRIS, Executive Assistant  
 7 SCHENEQUA BROWN, Executive Assistant  
 8 CAROLYN BAILEY, Director of Licensure  
 9 LAKIA JACKSON, Paralegal  
 10 MONICA MENTZER, Manager, Practice  
 11 IMAN FARID, Health Policy Analyst (via telephone)  
 12 VALENCIA JACKSON, Safe Practice  
 13 BRIAN STALLSMITH, IT Staff  
 14  
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1 BOARD MEMBER APPEARANCES:  
 2  
 3 GARY HICKS, RN Member, Board President  
 4 ANN TURNER, RN Member, Board Secretary  
 5 M. DAWNE HAYWARD, RN Member  
 6 EMALIE GIBBONS-BAKER, APRN Member  
 7 AUDREY CASSIDY, Consumer Member  
 8 SUSAN STEINBERG, Consumer Member  
 9 SUSAN LYONS, APRN Member  
 10 ROBIN HILL, RN Member, LPN Educator  
 11 HEATHER WESTERFIELD, RN Member  
 12 CHRISTINE LECHLITER, RN Member  
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1 AUDIENCE MEMBERS:  
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 3 TIJUANA GRIFFIN, Washington Adventist University  
 4 JANE KRIENKE, Maryland Hospital Association  
 5 SHELLIE WILLIAMS, Kennedy Krieger Institute  
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she wanted to thank us for everything that we do. And so, she wanted to share with us their first ever forensic medical unit annual report at Shady Grove. So, that's what I sent you all this morning.

The next is, we were also asked to -- we will be asked to participate in a stakeholders meeting concerning the CNA and licensing requirement and administrative units. So, as soon as I obtain more information from that I will let you know.

Additionally, from the legislative -- Department of Legislative Services, we are going to be going through a program evaluation. So, we're setting up meetings for that, similar, I guess, to the OLA. A little different, but similar to the Office of Legislative Audits, which will be coming around shortly as well.

And the last topic is Operation Nightingale. We have a website. So, if you go to our homepage, and in the middle of the page you will see the top link is for Operation Nightingale. If you click on that link it will bring you to the Operation Nightingale information. We

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PROCEEDINGS

MR. HICKS: Good morning, everyone. Sorry for the delay. We are going to go ahead and get started. If I can get a motion to go into Open Session.

MS. STEINBERG: So moved. Steinberg.

MR. HICKS: Steinberg.

MS. GIBBONS-BAKER: Second. Gibbons-Baker.

MR. HICKS: Gibbons-Baker. All in favor?

ALL: Aye.

MR. HICKS: Opposed?

(No oppositions)

MR. HICKS: Motion carries. We will start with Ms. Evans.

MS. EVANS: Good morning, everyone.

ALL: Good morning.

MS. EVANS: So, I just wanted to update you on a couple of things. The first is, I sent the Board members an email this morning concerning the forensic nurse examiners. We received an email from Jessica Volz, who stated that the Board is always so supportive of the work being done by the forensic nurse examiners, and that

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have Frequently Asked Questions, we have a Statement from the Board, a Statement from the National Council of State Boards of Nursing. And for those individuals who have orders concerning this matter, they are all listed there. You will see that this Board has been on top of things. You will see the orders dated back from 2021. So, you know, the Board has been working really hard on this area. Additionally, we have a link, if you go under Education, click on that link and scroll down, midway through the page there is a link for Not Approved Schools. Those schools have been found not to be substantially equivalent -- that was a mouthful, sorry -- not to be found substantially equivalent. So, we have that list there for all employers if they want to have our list of Not Approved Schools. And for those individuals, they will not receive a license or endorse -- an initial license or endorsement into Maryland. So, I just wanted to make all of that clear. And, please, always go to the website for Operation Nightingale. That's where all the current information is, and we will update it as soon as we get new information. If it's

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1 daily, if it's weekly, whatever it is we will update that  
 2 with all of the current information.  
 3 So, that's all that I have right now. So,  
 4 thank you, everyone.  
 5 MR. HICKS: Any questions for Ms. Evans?  
 6 (No questions posed)  
 7 MR. HICKS: All right. We'll do roll call. We  
 8 will start in the room.  
 9 MS. LYONS: Susan Lyons, RN member, advanced  
 10 practice nursing.  
 11 MS. LECHLITER: Christine Lechlitter, nurse  
 12 administrator member.  
 13 MS. GIBBONS-BAKER: Emalie Gibbons-Baker, RN  
 14 Board member, advanced practice.  
 15 MS. TURNER: Ann Turner, RN member.  
 16 MS. HAYWARD: Dawne Hayward, RN member.  
 17 MS. CASSIDY: Audrey Cassidy, consumer member.  
 18 MS. STEINBERG: Susan Steinberg, consumer  
 19 member.  
 20 MS. ROBIN HILL: Dr. Robin Hill, practical  
 21 nursing educator member.

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1 MS. WESTERFIELD: Dr. Heather Westerfield, RN  
 2 member, associate degree programs.  
 3 MR. HICKS: Do I have any Board members online?  
 4 (No response)  
 5 MR. HICKS: Thank you. So, if I can get a  
 6 motion to approve the Consent Agenda?  
 7 MS. LECHLITER: So moved. Lechlitter.  
 8 MR. HICKS: Lechlitter.  
 9 MS. CASSIDY: Cassidy.  
 10 MR. HICKS: Cassidy. All in favor?  
 11 ALL: Aye.  
 12 MR. HICKS: Opposed?  
 13 (No oppositions)  
 14 MR. HICKS: Motion carries. We will go down to  
 15 B, Initial Certified Nursing Assistant Training Program.  
 16 MS. EVANS: No. That's already on the Consent  
 17 Agenda.  
 18 MR. HICKS: Oh, sorry.  
 19 MS. EVANS: It's okay. It's the next page.  
 20 MR. HICKS: We will go to Education. Ms.  
 21 Evans?

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1 MS. EVANS: Yes, thank you. District of  
 2 Columbia Forensic Nurse Examiners Training Program has  
 3 submitted their application. The application has been  
 4 reviewed. It meets all of the requirements under  
 5 10.27.07. to .09. There's just one amendment that I've  
 6 asked them to make. Although they've put their bios in,  
 7 we actually need their CVs or resumes to accompany this.  
 8 I did send out an email. They are going to get that to  
 9 me by Friday.  
 10 So, I would like for the Board to -- my request  
 11 is to approve this program with those particular  
 12 amendments to it. So, I'm asking for the Board for their  
 13 approval of this program with amendments.  
 14 MR. HICKS: Is there a motion to approve the  
 15 District of Columbia's Forensic Nurse Examiners Training  
 16 Program with the amendments that Ms. Evans pointed out?  
 17 MS. GIBBONS-BAKER: Gibbons-Baker.  
 18 MR. HICKS: Gibbons-Baker.  
 19 MS. WESTERFIELD: Westerfield.  
 20 MR. HICKS: Westerfield. All in favor?  
 21 ALL: Aye.

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1 MR. HICKS: Opposed?  
 2 (No oppositions)  
 3 MR. HICKS: Motion carries.  
 4 MS. EVANS: And the next item I have is -- I'm  
 5 excited for, is that -- is the U.S. Department of  
 6 Education compliance approval. We received it on  
 7 February 28th. I am so excited. Again, I just -- so we  
 8 have it for the next twenty months. That's when our next  
 9 renewal is due. That's why it's only for twenty months.  
 10 But I just want to thank the Education team, in  
 11 particular, Dr. Camille Forbes-Scott as well as Dr.  
 12 Sheila Green, and the unofficial educator Michael Conti,  
 13 who is our attorney. So, I just want to thank everyone  
 14 for all of their hard work. They did a tremendous job  
 15 making sure that we maintained compliance. We submitted  
 16 all of our items on time. So, I just wanted to thank  
 17 them. And also, for Dr. Green and Mr. Conti for their  
 18 hard work during the meeting with NSIQI. They did a  
 19 tremendous job as well. So, we're just so excited to  
 20 maintain our designation as a USDOE accrediting body. We  
 21 are one of five boards throughout The United States that

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1 has this particular distinction. So, we're excited. I'm  
 2 excited for you, right? We're all excited. So, again,  
 3 thank you all for your support.

4 And for those who are not aware why this  
 5 distinction is important, especially for Maryland, it's  
 6 because we have a lot of new LPN programs, RN programs  
 7 that have asked me if they could begin a program because  
 8 we're working with the Maryland Higher Education. Why  
 9 that is important is that, they are able to run their  
 10 program without having ACEN or CCNE or NLN CNEA approval  
 11 so they're able to start. So, that's particularly  
 12 important for Title 4 and for Middle States in this area.  
 13 So, we're excited to be able to offer that to our nursing  
 14 education program community.

15 MR. HICKS: Thank you, Karen. Any questions  
 16 for Ms. Evans?

17 (No questions posed)

18 MR. HICKS: All right. We will move down to  
 19 Legislative Affairs. Iman, are you online?

20 MS. FARID: Good morning. Yes, I am online.  
 21 Can you hear me?

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1 MR. HICKS: Yes, ma'am.

2 MS. FARID: Okay. Good morning, everyone, and  
 3 happy Wednesday. We have one legislative item, 7A, for  
 4 this morning. This is a memorandum that provides a list  
 5 of bills that were assigned to the Board from the week of  
 6 February 27th through the week March 20th. And the  
 7 Legislative Committee requests the Board to ratify the  
 8 following positions.

9 Starting with House Bill 732; cross-filed with  
 10 Senate Bill 600: Health – Mental Health Care Provider  
 11 Immunity and Establishment of Specialty Tertiary Care  
 12 Psychiatric Programs. This bill establishes that certain  
 13 mental health care providers have immunity from liability  
 14 for certain actions related to harm to or from certain  
 15 patients; and provides that the Maryland Department of  
 16 Health is a “reporting agency” for puposes of certain  
 17 provisions of law governing public-private partnerships  
 18 under certain circumstances.

19 The Board drafted a Letter of Information,  
 20 however, did not have a chance to submit the letter  
 21 because both the House and Senate bills were withdrawn by

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1 the bill sponsors.

2 House Bill 758; cross-filed with Senate Bill  
 3 789: Sexual Assault Evidence Collection Kits –  
 4 Preservation and Storage. This bill alters requirements  
 5 for the storage and preservation of sexual assault  
 6 evidence collection kits; authorizes the Attorney General  
 7 to direct a certain person to comply with Provisions of  
 8 this Act; and authorizes the Attorney General to apply to  
 9 a certain court for an order to show cause under certain  
 10 circumstances.

11 The Board took no position.

12 House Bill 759; cross-filed with Senate Bill  
 13 615: Governor’s Office of Crime Prevention, Youth and  
 14 Victim Services – Sexual Assault Evidence Collection Kit  
 15 Reporting Program. This bill requires the Governor’s  
 16 Office of Crime Prevention, Youth, and Victim Services to  
 17 establish and administer a reporting program relating to  
 18 sexual assault evidence collection kits; and requires a  
 19 person with control or possession of an evidence  
 20 collection kit to report certain infomation to the  
 21 program and comply with regulations.

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1 The Board took no position.

2 House Bill 808; cross-filed with Senate Bill  
 3 859: Reproductive Health Protection Act. This bill  
 4 prohibits certain executive and judicial rules and  
 5 actions related to legally protected health care;  
 6 prohibits certain agencies from assisting in interstate  
 7 investigation; and prohibits health occupations boards  
 8 from disciplining a health care provider because of  
 9 actions related to legally protected health care.

10 The Board took no position.

11 House Bill 812; cross-filed with Senate Bill  
 12 786: Health – Reproductive Health Services – Protected  
 13 Information and Insurance Requirements. This bill  
 14 regulates the disclosure of information related to  
 15 legally protected health care by certain individuals;  
 16 repeals a provision of law authorizing a custodian to  
 17 allow inspection of a home address of a licensee;  
 18 requires that the regulations adopted by the Maryland  
 19 Health Care Commission restrict data related to patients  
 20 who have obtained legally protected health care; and  
 21 alters the purpose of the Maryland Health Care Commission

<p style="text-align: right;">Page 18</p> <p>1 to include policies that protect the confidentiality of                  2 certain health care information.                  3       The Board submitted a Letter of Information.                  4       House Bill 906: Occupational Licensing and                  5 Certification – Criminal History – Prohibited Disclosures                  6 and Predetermination Review Process. This bill prohibits                  7 certain agencies from denying an occupational license or                  8 certificate to an applicant solely on the basis of the                  9 criminal history of the applicant and from requiring                  10 disclosure of actions on an application; and establishes                  11 a certain review process.                  12       The Board submitted a Letter of Opposition.                  13       House Bill 953; cross-filed with Senate Bill                  14 618: Public Health – Overdose and Infectious Disease                  15 Prevention Services Program. This bill establishes the                  16 Overdose and Infectious Disease Prevention Services                  17 Program; authorizes the Program to accept donations,                  18 grants, and other financial assistance; prohibits the                  19 location of the Program in certain areas; and prohibits                  20 certain persons from being subject to arrest, discipline,                  21 or certain penalties for involvement in the operation or</p>	<p style="text-align: right;">Page 20</p> <p>1 Official – First Responder: This bill includes first                  2 responders within the scope of certain prohibitions                  3 against making or delivering threats to take the life of,                  4 kidnap, or cause physical injury to certain officials.                  5       The Board submitted a Letter of Information.                  6       House Bill 1148; cross-filed with Senate Bill                  7 582: Behavioral Health Care – Treatment and Access                  8 (Behavioral Health Model for Maryland). This bill                  9 establishes the Commission on Behavioral Health Care                  10 Treatment and Access to make recommendations to provide                  11 appropriate, accessible, and comprehensive behavioral                  12 health services to individuals in the State; establishes                  13 the Behavioral Health Care Coordination Value-Based Pilot                  14 Program in the Maryland Department of Health; and extends                  15 to a certain date the inclusion of certain audio-only                  16 telephone conversations in the definition of telehealth.                  17       The Board took no position.                  18       House Bill 1160; cross-filed with Senate Bill                  19 774: Maryland Pathway to Nursing Program and Advisory                  20 Committee – Establishment. This bill establishes the                  21 Maryland Pathway to Nursing Program in the Maryland</p>
<p style="text-align: right;">Page 19</p> <p>1 use of services of the Program.                  2       The Board submitted a Letter of Opposition.                  3       House Bill 956: Pregnant and Perinatal Drug                  4 Screening and Testing Workgroup. This bill requires the                  5 Secretary of Health to establish a Pregnant and Perinatal                  6 Drug Screening and Testing Workgroup to study and make                  7 recommendations relating to drug screening and testing of                  8 pregnant and perinatal patients and newborn infants.                  9       The Board submitted a Letter of Information.                  10       House Bill 973: Health - Abortion – Ultrasound                  11 and Waiting Period. This bill prohibits a qualified                  12 provider from performing or inducing an abortion on a                  13 pregnant woman within a certain period of time after the                  14 woman receives certain ultrasound imaging; establishes                  15 certain requirements related to the performance of a                  16 trans abdominal ultrasound; and provides that a woman is                  17 not required to accept any materials offered during a                  18 trans abdominal ultrasound imaging.                  19       The Board took no position.                  20       House Bill 978; cross-filed with Senate Bill                  21 568: Criminal Law – Threat Against State or Local</p>	<p style="text-align: right;">Page 21</p> <p>1 Department of Health; requires the Secretary of Health to                  2 establish a pilot program; and establishes the Maryland                  3 Pathway to Nursing Advisory Committee to assist the                  4 Secretary in the development and implementation of the                  5 Program.                  6       The Board took no position.                  7       House Bill 1161: Public Health – Human                  8 Papillomavirus Vaccine – Information and Informed                  9 Consent. This bill requires a health care provider,                  10 before each administration of a HPV vaccine to provide an                  11 individual or their guardian with a certain information                  12 sheet and obtain written consent.                  13       The Board took no position.                  14       House Bill 1224: Public Schools – Medical and                  15 Psychological Treatment in School-Based Health Centers                  16 and Public Schools – Parental Notice. This bill requires                  17 certain school health practitioners employed by or under                  18 contract with certain entities to provide certain                  19 information to a student’s parent or guardian.                  20       The Board took no position.                  21       Senate Bill 669: Registered Nurse Degree</p>

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1 Apprenticeship Program Workgroup. This bill establishes  
 2 the Registered Nurse Degree Apprenticeship Program  
 3 Workgroup to study the feasibility of developing and  
 4 implementing a registered nurse degree apprenticeship  
 5 program in the State of Maryland.

6 The Board submitted a Letter of Information  
 7 with Amendments.

8 And lastly, Senate Bill 949: Criminal Injuries  
 9 Compensation Board – Victims of Non-fatal Strangulation.  
 10 This bill authorizes the reimbursement of certain  
 11 qualified health care providers and hospitals by the  
 12 Criminal Injuries Compensation Board for certain forensic  
 13 examination and health care services provided to a victim  
 14 of non-fatal strangulation without charge.

15 The Board took no position.

16 I would be happy to answer any questions the  
 17 Board members may have.

18 MR. HICKS: Any questions by the Board members?  
 19 (No questions posed)

20 MR. HICKS: All right, hearing none. Is there  
 21 a motion to approve the recommendations for the positions

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1 set for each of the bills that Iman has outlined?  
 2 MS. HAYWARD: So moved. Hayward.  
 3 MR. HICKS: Hayward.  
 4 MS. CASSIDY: Cassidy.  
 5 MR. HICKS: All in favor?  
 6 ALL: Aye.  
 7 MR. HICKS: Opposed?  
 8 (No oppositions)  
 9 MR. HICKS: Motion carries. Thank you, Iman.  
 10 MS. FARID: Thank you.  
 11 MR. HICKS: Ms. Scott, would you like to speak  
 12 about Licensure?  
 13 MS. SCOTT: Yeah. I just wanted to recognize  
 14 the exceptional progress that the Licensure Department  
 15 has made in just a very short, few months. If you  
 16 remember, we announced back in October that we had  
 17 retained a director of licensure after that position had  
 18 been vacant for almost one year. So, Ms. Bailey has come  
 19 onboard and she's worked diligently and closely with that  
 20 team. That team has put in a tremendous amount of work  
 21 under extremely challenging circumstances to, you know,

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1 bring us up-to-date and current with our licensures to  
 2 date. Since Ms. Bailey came on we -- I think obtained  
 3 another three individuals on that team. So, I mean, with  
 4 the current team members and the new team members and Ms.  
 5 Bailey, they have done such an exceptional job, and I  
 6 really want to recognize and, you know, thank them for  
 7 all of their hard work. It's very exciting to see how  
 8 excited they are, and the morale has improved, and it's  
 9 just very refreshing.

10 So, they are up-to-date with all the  
 11 applications that were outstanding before. And just both  
 12 the Licensure and Certification team continue to work  
 13 extremely hard under the technological challenges that we  
 14 have among other things. So, I just want to recognize  
 15 their diligent efforts that they put in every day. Thank  
 16 you.

17 MR. HICKS: Thank you, Ms. Scott. And on  
 18 behalf of the Board, thank you very much for all your  
 19 hard work and your dedication.

20 MS. SCOTT: Ms. Bailey's in the back. Raise  
 21 your hand.

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1 MS. BAILEY: Thank you. It's been a challenge,  
 2 but we are up for it.

3 MR. HICKS: We're here to support you. If you  
 4 need anything, please, let us know.

5 MS. BAILEY: Thank you.

6 MR. HICKS: All right. We will move onto  
 7 Direct-Entry Midwifery and Electrology. Ms. Mentzer?

8 MS. MENTZER: Yes, good morning. We're going  
 9 to move along to Item 8A on the agenda. This is a  
 10 request for approval to update the Informed Consent and  
 11 Disclosure for Birth with a Licensed Direct-Entry  
 12 Midwife.

13 The Maryland Board of Nursing Direct-Entry  
 14 Midwifery Advisory Committee, with approval from the  
 15 Maryland Board of Nursing Practice and Education  
 16 Committee, requests to the Board to provide for an update  
 17 to the document, Informed Consent and Disclosure for  
 18 Birth with a Licensed Direct-Entry Midwife, to include  
 19 the removal of Appendix A, and replace Appendix A with  
 20 the documents, Annotated Code of Maryland, Health  
 21 Occupations Article, Title 8, Subtitle 6C, Section

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1 8-6(c)03, conditions for which licensed direct-entry  
 2 midwives may not take responsibility for patient’s  
 3 pregnancy; and Section 8-6(c)04, procedures to be  
 4 followed when a patient presents with certain conditions.  
 5 Does the Board have any questions regarding  
 6 this request?  
 7 MR. HICKS: Any questions for Ms. Mentzer?  
 8 (No questions posed)  
 9 MR. HICKS: All right. Is there a motion to  
 10 approve the update to the Informed Consent and Disclosure  
 11 for Birth with Licensed Direct-Entry Midwife?  
 12 MS. GIBBONS-BAKER: Gibbons-Baker.  
 13 MR. HICKS: Gibbons-Baker.  
 14 MS. STEINBERG: Steinberg.  
 15 MR. HICKS: Steinberg. All in favor?  
 16 ALL: Aye.  
 17 MR. HICKS: Opposed?  
 18 (No oppositions)  
 19 MR. HICKS: Motion carries. Thank you, Ms.  
 20 Mentzer.  
 21 MS. MENTZER: Thank you.

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1 MR. HICKS: All right. We will go down to  
 2 -- is there anyone on the line that wants to speak about  
 3 the pediatric nurse practitioner discussion referenced to  
 4 pediatric patients over the age of 21?  
 5 (No response)  
 6 MR. HICKS: All right, hearing none. I will  
 7 turn it over to Ms. Evans.  
 8 MS. EVANS: Nothing. That’s it.  
 9 MR. HICKS: Oh, that’s it? All right. Is  
 10 there anyone online that would like to address the Board?  
 11 (No response)  
 12 MR. HICKS: All right, hearing none. In a  
 13 moment I am going to ask if there is a motion to close  
 14 the Open Session, but first I’m going to walk us through  
 15 the written statement that is required by the Open  
 16 Meetings Act to ensure that all Board members agree with  
 17 its contents.  
 18 As documented in the written statement, the  
 19 statutory authority to close this session and meet in  
 20 Closed Session is General Provisions 3-305(b)13, which  
 21 gives the Board the authority to close an Open Session,

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1 to comply with a specific constitutional, statutory, or  
 2 judicial imposed requirement that prevents public  
 3 disclosures about a particular matter or proceeding.  
 4 The topic to be discussed during Closed Session  
 5 is applications for licensure and/or certification. The  
 6 reason for discussing this topic in Closed Session is to  
 7 discuss confidential matters that are prohibited by  
 8 public disclosures by the Annotated Code of Maryland,  
 9 Health Occupations Article 8-303(f); Health Occupations  
 10 Article 8-320(a); Health Occupations Article 1-401; and  
 11 General Provisions Article 4-333. In addition, the Board  
 12 may also perform Quasi Judicial and administrative  
 13 functions involving disciplinary matters during the  
 14 Closed Session.  
 15 Is there a motion to close this Open Session  
 16 pursuant to the statutory authority and the reasons cited  
 17 in the written statement or any discussion thereof?  
 18 MS. KRIENKE: Mr. Chairman?  
 19 MR. HICKS: Yes?  
 20 MS. KRIENKE: Mr. Chairman?  
 21 MR. HICKS: Yes?

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1 MS. KRIENKE: Hi. I’m so sorry. This is Jane  
 2 Krienke from the Maryland Hospital Association. I  
 3 believe there is someone online that wanted to raise a  
 4 question around the pediatric providers. I am sorry to  
 5 jump in late, but does the Board have an update on that  
 6 agenda item? We do have representatives from Kennedy  
 7 Krieger here who had raised this issue.  
 8 MS. EVANS: Well, they were going -- Hi, Jane.  
 9 This is Karen. They were going to speak on the topic of  
 10 that so we were waiting to hear what their concerns were.  
 11 MS. WILLIAMS: Good morning. This is Shellie  
 12 Williams, the chief nursing officer at Kennedy Krieger.  
 13 I apologize. I was trying to jump in, and moved a little  
 14 bit too slow. Is it still okay to go ahead and ask the  
 15 question?  
 16 MR. HICKS: That’s fine.  
 17 MS. WILLIAMS: So, the question was for our  
 18 pediatric nurse practitioners, and I believe our Senior  
 19 Nurse Practitioner Elsie Reinhardt is on as well.  
 20 Historically, they have been able to care for patients  
 21 under the age of 21, and we were looking for some



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1 clarification and had looked at what the Board has put  
 2 out as well as what the certifying bodies like the ANCC  
 3 have put out. I am looking for clarification for  
 4 patients who have childhood diagnosed diseases, what is  
 5 the ruling or what is the direction we are able to take  
 6 for patients who are older than age 21 for the pediatric  
 7 nurse practitioner to be able to provide care?  
 8 And I'll see -- Elsie, are you on?  
 9 (No response)  
 10 MS. WILLIAMS: She must not be on.  
 11 MR. HICKS: If you're on, please, hit star-6 to  
 12 unmute yourself.  
 13 (No response)  
 14 MS. WILLIAMS: She may not be on. So, we were  
 15 just looking for some direction in regards to that.  
 16 Thank you.  
 17 MR. HICKS: All right. So, we will take that  
 18 under advisement and -- if you could send us more  
 19 information about specifically what you're looking for,  
 20 then we will, you know, do our research, and get back to  
 21 you on that.

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1 MS. WILLIAMS: Okay. Should I send that to  
 2 Karen?  
 3 MR. HICKS: That's fine, yes.  
 4 MS. WILLIAMS: Thank you so much. I appreciate  
 5 it.  
 6 MR. HICKS: Okay.  
 7 MS. KRIENKE: Mr. Chairman, can I ask one more  
 8 question?  
 9 MR. HICKS: Okay.  
 10 MS. KRIENKE: First, I wanted to thank the  
 11 Board for putting up the Operation Nightingale  
 12 information on the webpage. That's been very helpful.  
 13 So, I appreciate all your work there.  
 14 I had a question around the D.C. FNE Safe  
 15 Program that was approved. I appreciate the Board's  
 16 quick review and approval of that program. For those  
 17 individuals who may have just gone through the program  
 18 thinking that it was approved in Maryland and they've  
 19 already graduated, are they able to still be considered  
 20 for licensure in Maryland, or is there a certain date by  
 21 which you had to go to their program to be approved?

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1 MR. HICKS: Again, can I ask that you email Ms.  
 2 Evans with that question, and we will do some research  
 3 and get back to you on that.  
 4 MS. KRIENKE: Absolutely. Thank you.  
 5 MR. HICKS: Anyone else online?  
 6 (No response)  
 7 MR. HICKS: All right. I've already read the  
 8 closing Open Session script. So, if I can get a motion  
 9 to approve.  
 10 MS. STEINBERG: Steinberg.  
 11 MS. CASSIDY: Cassidy.  
 12 MR. HICKS: Steinberg, Cassidy. All in favor?  
 13 ALL: Aye.  
 14 MR. HICKS: Opposed?  
 15 (No oppositions)  
 16 MR. HICKS: Motion carries. Thank you,  
 17 everyone. Have a great day.  
 18 (Whereupon, at 9:38 a.m. the Open Session was  
 19 adjourned.)  
 20  
 21

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1 CERTIFICATE OF NOTARY  
 2 I, EDWARD BULLOCK, a Notary Public of the State  
 3 of Maryland, do hereby certify that the proceedings were  
 4 recorded via audio by me and that this transcript is a  
 5 true record of the proceedings. I am not responsible for  
 6 inaudible portions of the proceedings.  
 7 I further certify I am not of counsel to any of  
 8 the parties, nor an employee of counsel, nor related to  
 9 any of the parties, nor in any way interested in the  
 10 outcome of this action as witness my hand and notarial  
 11 seal this 22nd day of March, 2023.  
 12  
 13  
 14  
 15 \_\_\_\_\_  
 16 Edward Bullock, Notary Public  
 17 in and for the State of Maryland  
 18  
 19  
 20 My commission expires: May, 13, 2027  
 21

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### **Script for Closing Open Session**

In a moment, I am going to ask if there is a motion to close the open session, but first I am going to walk us through the written statement that is required by the Open Meetings Act to ensure that all Board members agree with its contents.

As documented in the written statement, the statutory authority to close this open session and meet in closed session is General Provisions § 3-305(b)(13), which gives the Board the authority to close an open session "to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular matter or proceeding." The topic to be discussed during closed session is applications for licensure and/or certification. The reason for discussing this topic in closed session is to discuss confidential matters that are prohibited from public disclosure by the Annotated Code of Maryland, Health Occupations Article § 8-303(f), Health Occupations Article § 8-320(a), Health Occupations Article § 1-401 *et seq.*, and General Provisions Article § 4-333. In addition, the Board may also perform quasi-judicial and administrative functions involving disciplinary matters during the closed session.

Is there a motion to close this open session pursuant to the statutory authority and reasons cited in the written statement or any discussion thereof?

MARYLAND STATE BOARD OF NURSING

Presiding Officer's Written Statement for Closing a Meeting  
under the Open Meetings Act (Md. Code Ann., Gen. Prov. § 3-305)

1. **Recorded vote to close the meeting:** Date: 3/22/23 Time: 9:40 am  
Location: **Maryland Board of Nursing, 4140 Patterson Avenue, Baltimore, MD**  
Motion to close meeting made by: Steinberg Seconded by Cassidy  
Members in favor: Lyons, Lichtler, Gibbons-Bater, Turner, Hayward, Hicks,  
Opposed: None Abstaining: None  
Absent: Vickers, Dworomana, J. Hill

Cassidy,  
Steinberg,  
R. Hill,  
Westfield

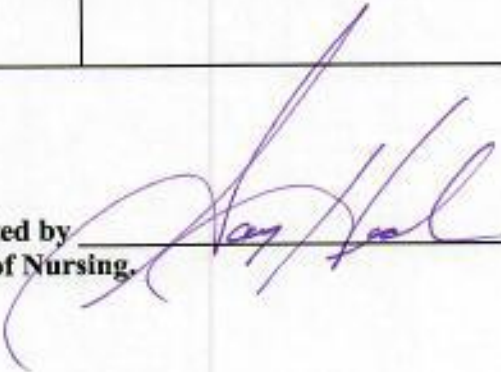
2. **Statutory authority to close session.** This meeting will be closed under Md. Code Ann., Gen. Prov. § 3-305(b) only:

- (1)\_\_\_ "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals";
- (2)\_\_\_ "To protect the privacy or reputation of individuals concerning a matter not related to public business";
- (3)\_\_\_ "To consider the acquisition of real property for a public purpose and matters directly related thereto";
- (4)\_\_\_ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State";
- (5)\_\_\_ "To consider the investment of public funds";
- (6)\_\_\_ "To consider the marketing of public securities";
- (7)\_\_\_ "To consult with counsel to obtain legal advice";
- (8)  "To consult with staff, consultants, or other individuals about pending or potential litigation";
- (9)\_\_\_ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations";
- (10)\_\_\_ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans";
- (11)\_\_\_ "To prepare, administer, or grade a scholastic, licensing, or qualifying examination";
- (12)\_\_\_ "To conduct or discuss an investigative proceeding on actual or possible criminal conduct";
- (13)  "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter";
- (14)\_\_\_ "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.";
- (15)\_\_\_ "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."



3. For each provision checked above, disclosure of the topic to be discussed and the Maryland State Board of Nursing's reason for discussing that topic in closed session.

Citation	Topic	Reason for closed-session discussion of topic
§ 3-305(b) (13)	Applications for licensure and/or certification	To discuss confidential matters prohibited from public disclosure by Md. Code Ann., Health Occ. sections 8-303(f), 8-320(a), 1-401 <i>et seq.</i> and General Provisions section 4-333.
§ 3-305(b) (8)	Pending litigation w/ MDH Medicaid Unit	To discuss legal issues and strategy relating to pending litigation involving the MDH Medicaid Unit
§ 3-305(b) ( )		

4. This statement is made or adopted by , Presiding Officer, Maryland State Board of Nursing.