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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, July 26, 2023, at 4140 Patterson Avenue, Baltimore, Maryland 21215, commencing at 9:05 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 MICHAEL CONTI, Assistant Attorney General
 3 Office of the Attorney General
 4 State of Maryland
 5 Department of Health & Mental Hygiene
 6 300 West Preston Street
 7 Baltimore, Maryland 21201
 8 410-767-3201
 9
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1 ALSO PRESENT:
 2 RHONDA SCOTT, Interim Executive Director
 3 SCHENEQUA BROWN, Executive Assistant
 4 MICHELLE POWELL, Paralegal
 5 LAKIA JACKSON, Paralegal
 6 SHEILA GREEN, Education Consultant (via telephone)
 7 IMAN FARID, Health Policy Analyst (via telephone)
 8 MONICA MENTZER, Director, Manager
 9 CAROLYN BAILEY, Director of Licensure
 10 BRIAN STALLSMITH, IT Staff
 11 VALENCIA JACKSON, Safe Practice
 12 MORINAT KUKOYI-SAMYAOLU, Director of Operations
 13 SARA TONGUE, Investigations
 14 MITZI FISHMAN, Director of Legal Affairs
 15 ROSALYN JOHNSON, Complaints & Investigations
 16 KAI PAIGE, Safe Practice
 17 DELLA SANDERS, Backgrounds
 18 AMBERS HAVENS-BERNAL, Discipline Division
 19 DEB BOYD, Complaints & Investigations
 20
 21

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1 BOARD MEMBER APPEARANCES:
 2 ANN TURNER, RN Member, Board Secretary
 3 CHRISTINE LECHLITER, RN Member
 4 AUDREY CASSIDY, Consumer Member
 5 EMALIE GIBBONS-BAKER, APRN Member
 6 M. DAWNE HAYWARD, RN Member
 7 JACQUELINE HILL, RN Member
 8 HEATHER WESTERFIELD, RN Member
 9 SUSAN LYONS, APRN Member
 10 ROBIN HILL, RN Member
 11 SUSAN STEINBERG, Consumer Member
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1 AUDIENCE MEMBERS (via telephone):
 2 SANDY CLARK, Allegany College of Maryland
 3 RICK COOPER, Allegany College of Maryland
 4 YOLANDA OGBOLU, University of Maryland School of Nursing
 5 ANGIE HINES, University of Maryland School of Nursing
 6 EVAN WIDNEY, Duke University
 7 NANCY MARZELLA, Cecil College
 8
 9
 10 NOTE: Due to technical issues, the Open Session had to
 11 restart the session at 9:19 a.m. after some topics had
 12 already been discussed. A record has been made of each
 13 discussion on this transcript.
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C O N T E N T S		
SECTION	DESCRIPTION	PAGE
No. 1.....	Call to Order/Roll Call/Updates.	18
No. 2.....	Approval of Consent Agenda.	23
No. 3.....	Discussion of Items Removed	
	From the Consent Agenda.	N/A
No. 4.....	Education.	26
No. 5.....	Certifications.	N/A
No. 6.....	Licensure and Advanced Practice.	N/A
No. 7.....	Legislative Affairs.	23
No. 8.....	Direct Entry Midwives and Electrology.	37
No. 9.....	Quarterly Reports.	38
No. 10.....	Other Matters.	65

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nursing educator member.

MS. STEINBERG: Susan Steinberg, consumer member.

MS. TURNER: I am going to turn the meeting over to Rhonda to give us any updates that she might have.

MS. SCOTT: Sure. Good morning, everyone.

ALL: Good morning.

MS. SCOTT: So, first update. So, pursuant to House Bill 611 the Board was required to procure an independent consultant to come in and do an eval. So, MDH did put out an RFP and brought in and procured a team, and their evaluation has been ongoing. They started about the second week in July. So, it's still in progress, and their final report is due to the legislators by September 1st. So, stay tuned.

We are really doing well bringing in new staff. We're really excited that we're getting so many new team members to assist us with moving forward. We have a new director of legislative affairs. Her name is Mitzi Fishman. She's in the room. Good morning, Mitzi.

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P R O C E E D I N G S

MS. TURNER: Can I get a motion to go into Open Session?

MS. WESTERFIELD: So moved. Westerfield.

MS. LECHLITER: Second. Lechliter.

MS. TURNER: All in favor?

ALL: Aye.

MS. TURNER: Let's do roll call from my left.

MS. LECHLITER: Chrissy Lechliter, nurse administrator.

MS. CASSIDY: Audrey Cassidy, consumer member.

MS. GIBBONS-BAKER: Emalie Gibbons-Baker, RN, Board member, advanced practice.

MS. HAYWARD: Dawne Hayward, RN member.

MS. JACQUELINE HILL: Dr. Jacqueline Hill, RN educator member.

MS. WESTERFIELD: Dr. Heather Westerfield, RN associate degree programs.

MS. LYONS: Susan Lyons, RN member, advanced practice nursing.

MS. ROBIN HILL: Dr. Robin Hill, practical

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MS. FISHMAN: Good morning, everyone.

MS. SCOTT: And for all of you who may not recall, Shirley Devaris was our previous director of legislative affairs, so this position has been vacant since she retired in December of 2019. So, we're very excited to have Mitzi onboard with us.

In addition to the legislative affairs team, we will have a new health policy analyst starting next Wednesday, August 2nd. So that's also great news. And then, I know that we had mentioned and announced that Iman Farid would have resigned, so Iman's official last day is actually this Friday. She was so gracious to give us an extended couple of weeks so that she could work with Mitzi, which she has been doing, and we're so grateful to Iman for that.

We also have a new examination specialist to work with our exams team. She started on July 12th. As you may be aware, we only have one on that team processing NCLEC exam applications and things like that. So, we're excited to have a new addition to that team to assist Ms. Ward.

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1 Just a few IT updates. So, as of, I believe it
 2 was July 1st, we all go reconnected, so we're no longer
 3 relying on WiFi signals to get access to network. We
 4 actually are hardwired. The staff are very excited about
 5 that. That means that it kind of decreases the time for
 6 the things and duties that they have to do. And so what
 7 that means is that all of our licensing
 8 databases are currently running on the network. All of
 9 our users have access to the databases, and we can now
 10 upload our public orders back onto the Look Up a License
 11 website. So, orders after July will be uploaded to Look
 12 Up a License. But still on the to-do list is to move
 13 over the public orders from January 1st of 2022 that are
 14 on the homepage over to Look Up a License page. So,
 15 that's still in progress. Also on the to-do list for
 16 that team is kiosks for our lobby area. They're still
 17 working out some things for that.

18 We still have to resolve boardroom audio/video
 19 equipment; restore data transfers between us and the
 20 comptrollers, as well as the Child Support Enforcement.
 21 So these are all things that are still left to be done,

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1 but they are working on it, and our IT team has been hard
 2 at work. They worked really closely with the MDH
 3 reconnection team to get us all reconnect, so we're very
 4 grateful for that.

5 And then, one project that's a future project
 6 is to upgrade our phone system. Anyone who has tried to
 7 reach us in the Board knows it can be challenging to get
 8 someone on the phone. So, in the future we're looking to
 9 upgrade our telephone system to add features such as a
 10 callback option and be able to accept more calls.
 11 Currently, we do not have enough phone lines to
 12 accommodate the volume of calls that come into the Board
 13 daily. So that is definitely a project that we are
 14 working on. That's all I have.

15 MS. TURNER: Thank you.
 16 MS. SCOTT: Thank you.
 17 MS. TURNER: Let's move on to the Consent
 18 Agenda. Do I have a motion to approve the Consent
 19 Agenda?
 20 MS. JACQUELINE HILL: Move to approve. Dr.
 21 Jacqueline Hill.

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1 MS. LYONS: Second. Lyons.
 2 MS. TURNER: Hill, Lyons. All in favor?
 3 ALL: Aye.
 4 MS. TURNER: Opposed?
 5 (No oppositions)
 6 MS. TURNER: Motion carries. We're down to
 7 Education. Dr. Green, are you online?
 8 MR. COOPER: Hello. Is there anyone here?
 9 MS. TURNER: Who is it?
 10 MS. HINES: Yes, hello. Good morning. This is
 11 the University of Maryland School of Nursing.
 12 MS. TURNER: Who else is online with us?
 13 MR. COOPER: Rick Cooper with the Allegany
 14 College of Maryland.
 15 MS. TURNER: Is Dr. Green online?
 16 MS. MARZELLA: Good morning. Nancy Marzella of
 17 Cecil College.
 18 MS. SCOTT: She just texted me. She said that
 19 she can't hear.
 20 (Whereupon, phone connections were
 21 established.)

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1 MS. SCOTT: Can we skip down until we can get
 2 Dr. Green on the line?
 3 MS. TURNER: What did you say?
 4 MS. SCOTT: Can we move on to the next one.
 5 Dr. Green can't hear us, so we want to make sure she has
 6 the right number. So, we can go down to Legislative
 7 Affairs.
 8 MS. TURNER: Okay. We will go down to
 9 Legislative Affairs and Advanced Practice with Regulatory
 10 Updates. Iman?
 11 (No response)
 12 MS. TURNER: Iman, are you online?
 13 (No response)
 14 MS. TURNER: Should we go to direct-entry
 15 midwives?
 16 MR. CONTI: Yeah, we can move to that until we
 17 get the other folks with us.
 18 MS. TURNER: Monica, do you want to come up and
 19 do Direct-Entry Midwives and Electrology? Thank you.
 20 MS. MENTZER: Good morning, everyone. We are
 21 going to start with Item 8A. This is a request to the

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1 Board to consider an onsite visit to a licensed
 2 electrologist office pursuant to and in accordance with
 3 Maryland Code Annotated Health Occupations Article,
 4 Section 8-60-02, Committee Powers and Duties,
 5 specifically 8-6(b)11.
 6 The Electrology Practice Committee has reviewed
 7 the written notification dated June 28, 2023 received
 8 from Ms. Fatima Wachuku, licensed electrologist, License
 9 Number E01479. On July 3rd of 2023 of her attempt to
 10 open an office on Saturday, July 29, 2023 inside the
 11 Phenix Salon Suites at the Ellsworth Place Mall located
 12 at address 8661 Colesville Road, Unit 129, Silver Spring,
 13 Maryland. The committee is seeking further guidance from
 14 the Board as to whether or not the Board requests that
 15 the committee members. Ms. Debra Larson, licensed
 16 electrologist committee chairperson; and Ms. Elizabeth
 17 Spagnolla, licensed electrologist committee member
 18 arranged for an onsite visit to be conducted of Ms.
 19 Fatima Wachuku's office to practice electrology to ensure
 20 the licensed electrologists is in compliance and meets
 21 the minimum requirements as set forth in the Code of

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1 Maryland Regulations, COMAR Title 10, Subtitle 53,
 2 Chapter 07; Electrologist Office.
 3 Does the Board have any questions regarding the
 4 committee's request?
 5 (No questions posed)
 6 MS. TURNER: No questions. Do I have a motion
 7 to approve the onsite visit?
 8 MS. HAYWARD: So moved. Hayward.
 9 MS. TURNER: Hayward.
 10 MS. GIBBONS-BAKER: So moved.
 11 MS. TURNER: Gibbons-Baker. All in favor?
 12 ALL: Aye.
 13 MS. TURNER: Opposed?
 14 (No oppositions)
 15 MS. TURNER: Motion carries.
 16 MS. MENTZER: Thank you.
 17 MS. SCOTT: IT is still working on getting the
 18 phone to work. We can move on down the agenda.
 19 MS. TURNER: Okay. Let's move on down to
 20 Quarterly Reports. Amber? Is she with us?
 21 (No response)

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1 MS. SCOTT: Let's do Safe Practice.
 2 MS. TURNER: Safe Practice?
 3 MS. SCOTT: Yeah.
 4 MS. TURNER: Ms. Jackson?
 5 MS. JACKSON: Good morning, everyone. My name
 6 is Valencia Jackson, and I am the manager of Safe
 7 Practice and Special Projects. Today's quarterly reports
 8 will be reflected as of April through June.
 9 Meetings scheduled per quarter, two for each
 10 month; for a quarterly total of six. Schedule for
 11 committee meeting, April, 12; May, 13; June, 14; for a
 12 quarter total of 39. New agreements given, April, 1;
 13 May, none; June, none; for a quarter total of one.
 14 Expelled for non-compliance, April, 1; May, zero; June,
 15 1; for a quarter total of 2. Successfully discharged
 16 from the program, April, zero; May, 3; June, 1; for a
 17 quarter total of 4.
 18 MS. HINES: Good morning. This is Angie Hines
 19 from the University of Maryland School of Nursing. I
 20 just received a notice from Dr. Green that there's a
 21 slight IT issues, and the Board is working hard to

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1 remedy.
 2 MS. TURNER: Thank you. Can you hear us?
 3 MS. HINES: Thank you.
 4 MS. SCOTT: So, that's an issue. No one online
 5 can hear us.
 6 MS. WESTERFIELD: Well, they must at one point
 7 because they all introduced themselves.
 8 MS. CONTI: That's true.
 9 MS. TURNER: Can anyone online hear us?
 10 (No response)
 11 MS. SCOTT: Will we have to start over?
 12 MS. TURNER: You've got to be kidding. Hello?
 13 Can anyone online hear us?
 14 MS. HINES: Yes.
 15 MS. TURNER: Thank you.
 16 MS. SCOTT: We have to start over.
 17 MS. TURNER: We will have to start over so
 18 everyone is on the same page.
 19 (Whereupon, at the Open Session was restarted
 20 at 9:19 a.m.)
 21 MS. TURNER: Good morning. My name is Ann

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1 Turner. I am Secretary of the Board of Nursing. Let's
 2 go ahead and call the meeting to order.
 3 Do I have a motion to have the meeting to go
 4 into session?
 5 MS. WESTERFIELD: So moved. Westerfield.
 6 MS. TURNER: Westerfield.
 7 MS. HAYWARD: Hayward.
 8 MS. TURNER: Hayward. All in favor?
 9 ALL: Aye.
 10 MS. TURNER: Those opposed?
 11 (No oppositions)
 12 MS. TURNER: Motion carries. I am going to
 13 turn it over to Rhonda. She is going to give us the
 14 updates.
 15 MS. SCOTT: Good morning. First, I just
 16 wanted to update everyone. Pursuant to House Bill 611,
 17 the Board was required to procure an independent
 18 consultant to come in and conduct an evaluation. MDH did
 19 put out an RFP, and we retained a team that has been
 20 conducting the reviews. It's been in progress since the
 21 second week in July. They're still working with the

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1 Board getting data updates and things like that. Their
 2 report is due to the legislature by September 1st. So,
 3 stay tuned.
 4 We have quite a bit of new staff members that
 5 are joining us. We are excited about adding to our team.
 6 We have a new director of legislative affairs. Her name
 7 is Mitzi Fishman. Good morning, Mitzi.
 8 MS. FISHMAN: Good morning.
 9 MS. SCOTT: Mitzi is actually filling the
 10 position that was vacated by Shirley Devaris back in
 11 December of 2019. So, we're very excited to have someone
 12 fill that position and to have Mitzi with us.
 13 Additionally, we have a new health policy analyst
 14 starting next Wednesday, August 2nd. And for those of
 15 you who may remember, Iman Farid has resigned from the
 16 Board. Her official last day is this Friday. She was
 17 very kind to extend her resignation a couple of weeks so
 18 that she could work with Mitzi just to get her up to date
 19 on some things. So, we are very grateful to Iman for
 20 that. Additionally, we have a new examination specialist
 21 who started on July 12th. For many of you, you, you know

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1 that we have for about a year or more we have only had
 2 one individual processing our NCLEX exam applications.
 3 So, we have a new team member who is working with Ms.
 4 Ward. She's still in training, but we're very excited to
 5 have an addition to that team. We are bringing on more
 6 staff for all of our departments, so we're really excited
 7 about that.
 8 We have some IT updates. MDH reconnection team
 9 had been working very diligently and closely with our IT
 10 team, and as of July 1st we are now reconnected to a
 11 hardwired network so we no longer are relying on WiFi
 12 signal to get connected. So, we are very excited about
 13 that. It helps to improve productivity and efficiency of
 14 the things that our staff are doing each day. So what
 15 that means is, all of our users have access to databases.
 16 They no longer have to log out of one network and go into
 17 another one just to access different information. We can
 18 now upload our public orders back on to the "Look Up a
 19 License" website. If you recall, after the network
 20 security incident, all orders that were uploaded that
 21 were issued after January 1st of 2022 are listed on our

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1 homepage. So, one of the things that are actually on the
 2 to-do list that has not occurred yet is for us to now
 3 move those orders over into the "Look Up a License." So
 4 that's in the works. Additionally on the to-do list,
 5 they are working on kiosks for our lobby area. In the
 6 past we've had as a courtesy to our constituents who come
 7 in the office, we had about three or four kiosks there
 8 for public use. So we're working on implementing that
 9 again. Additionally, we need to resolve our boardroom
 10 audio/video equipment. That is still no up and running,
 11 so we're working on that. We also are working on
 12 restoring data transfers between the comptroller for tax
 13 holds and child support enforcement. So that is also in
 14 the works.
 15 And then, future projects, you all will be
 16 happy to know that we are looking to upgrade our
 17 telephone system. We are looking to add features such as
 18 callback and be able to accept more calls. Currently, we
 19 do not have enough phone lines to accommodate the volume
 20 of calls that comes into the Board on a daily basis. So
 21 anyone who has tried to reach us by phone, you can

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1 certainly appreciate that. That’s one of the things we
 2 are working on to improve in the future.
 3 I asked Iman, and she is going to provide
 4 updates on the Board’s regulatory activities when we get
 5 to that point, but that’s all I have. Thank you.
 6 MS. TURNER: Rhonda, I have a question about
 7 the Independent Consultant Team. I think I asked this
 8 last time and you weren’t sure. Will they be meeting
 9 with Board members?
 10 MS. SCOTT: So, yeah. They have reached out
 11 and they are planning on meeting with the Board president
 12 and myself. Yeah, we’re going to schedule that.
 13 MS. TURNER: Okay. Thank you.
 14 MS. SCOTT: I haven’t heard about any
 15 additional meetings that they may have, but if they do
 16 they will reach out if they need to meet.
 17 MS. TURNER: Thank you. Let’s move on down to
 18 the Consent Agenda. Do I have a motion to approve to the
 19 Consent Agenda?
 20 MS. HAYWARD: So moved. Hayward.
 21 MS. TURNER: Hayward.

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1 MS. GIBBONS-BAKER: Gibbons-Baker.
 2 MS. TURNER: Gibbons-Baker. All in favor?
 3 ALL: Aye.
 4 MS. TURNER: Opposed?
 5 (No oppositions)
 6 MS. TURNER: Motion carries. That takes us
 7 down to Education. Dr. Green, are you online? Dr.
 8 Green?
 9 (No response)
 10 MS. TURNER: Let’s go ahead and move on down to
 11 Legislative Affairs. Iman, are you online?
 12 MS. FARID: Yes, I am here. Can you hear me?
 13 MS. TURNER: Yes. Do you have anything for us,
 14 Iman?
 15 MS. FARID: Yes. Sorry, I was just getting my
 16 documents ready. I wanted to provide two updates as it
 17 relates to regulations that the Board was statutorily
 18 required to draft. The first regulatory topic is related
 19 to dialysis technicians. For your reference, House Bill
 20 218, which is titled, Health Occupations – Nursing
 21 Dialysis Technicians, requires the Board of Nursing to

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1 establish the qualification, certification, and practice
 2 for certified dialysis technicians in the State of
 3 Maryland. This particular bill went into effect on July
 4 1st of 2022. Since its enactment, the Board has been
 5 working with various dialysis stakeholders to draft
 6 regulations that comply with the provisions of House Bill
 7 218. This stakeholder worker is currently in the process
 8 of finalizing the regulation. There are just a few items
 9 that are left to address. And the goal for me is to
 10 present the dialysis technician regulations to the Board
 11 and its member hopefully by the fall.
 12 Are there any questions related to these
 13 regulations?
 14 (No questions posed)
 15 MS. TURNER: No questions on our end.
 16 MS. FARID: Thank you. And the second update
 17 is related to the licensed certified midwife. House Bill
 18 758, which was cross-filed with Senate Bill 684, was
 19 titled, Maryland Licensure of Certified Midwives Act.
 20 This bill requires the Board of Nursing to set standards
 21 and establish a licensing and regulatory system for the

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1 practice of certified midwifery. This bill went into
 2 effect October 1st of 2021. Additionally, during the
 3 2023 Legislative Session, House Bill 717 and Senate Bill
 4 772 were introduced as clean-up bills to assist in the
 5 process of drafting regulations. The Board and Board
 6 staff and Counsel have been meeting with proponents to
 7 these particular bills to draft the certified midwifery
 8 regulations. There are, of course, bills from addition
 9 items to address, but the goal will hopefully be to
 10 present the certified midwifery regulations to the Board
 11 and its members also sometime in the fall.
 12 Are there any questions?
 13 (No questions posed)
 14 MS. TURNER: Thank you, Iman.
 15 MS. FARID: Thank you very much. That’s all
 16 the updates that I have at this time.
 17 MS. TURNER: Thank you. I am going to
 18 backtrack and see if Dr. Green is online.
 19 MS. GREEN: Good morning. This is Dr. Green.
 20 Can you hear me?
 21 MS. TURNER: Yes, we can. We’re glad to have

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1 you.

2 MS. GREEN: Thank you. I am here this morning,

3 and I thank you all very much for your patience and for

4 our guests that are online or in person at the Board with

5 regards to our need to provide our reports from the

6 Education Department. Thank you for your patience.

7 The first item on our agenda is 4A, it's

8 Allegany College of Maryland faculty waiver request for

9 Ms. Tammy Wolfe. I would like to know if Mr. Rick Cooper

10 and Mrs. Sandy Clark are on the line?

11 MS. CLARK: Yes, this is Sandy Clark. I am

12 here.

13 MR. COOPER: This is Rick Cooper. I'm here.

14 MS. GREEN: What a pleasure. I just want to

15 introduce them to the Board. Mr. Cooper is the associate

16 dean at Allegany College of Maryland in the nursing

17 program, and Mrs. Sandy Clark is the director of onsite

18 education, face-to-face education within the program.

19 The information that you have before in 4A, the

20 background is that Allegany College of Maryland's faculty

21 completed a search to fill faculty vacancy. Their search

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1 included advertisements on the college website and on the

2 formal higher education advertising venue. The posting

3 achieved five responses to interview of Mrs. Wolfe, Tammy

4 Wolfe as the best candidate for the faculty position.

5 Mrs. Wolfe is a 2007 associate degree graduate of the

6 Allegany College of Maryland. She completed her

7 bachelor's degree at West Virginia University, and has

8 been accepted into the master's of science in nursing

9 program at Salem University in West Virginia.

10 The packet that you have before you includes

11 the cover letter from Mrs. Sandy Clark as well as

12 supporting information on behalf of Mrs. Wolfe, i.e., her

13 curriculum vitae; job description postings that were

14 initiated through the college; and letters of acceptance

15 for the Salem University's program.

16 Our findings are that Mrs. Wolfe's credentials

17 and background met criteria defined in COMAR

18 10.27.03.08(b)1 through 3(b) regarding nursing faculty

19 and clinical faculty waiver of graduate degree in nursing

20 requirement for nursing faculty as evidence through the

21 supporting documents. Our recommendation from the PEC,

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1 the Practice and Education Committee, was to accept the

2 recommendation for the nurse faculty waiver for Mrs.

3 Tammy Wolfe, and advance the information forward to the

4 Board for its final determination. And that occurred at

5 our July 14, 2023 meeting of the Practice and Education

6 Committee. Our request now is to approve the

7 recommendation for nursing faculty waiver for Mrs. Tammy

8 Wolfe that's been request by the Allegany College of

9 Maryland Nursing Education Program.

10 There's one other thing that we would like to

11 share with the Board. The Allegany College of Maryland

12 is in an area in western Maryland where recruitment can

13 be very difficult, and we just want the Board to know

14 about this success because they have to come to the Board

15 for four different individuals. Three of the

16 individuals have now completed there master's degrees,

17 and that's; Brenda Stockmeyer, Edith Brooks-, and Hannah

18 Mullens. They are still gainfully employed with Allegany

19 College of Maryland Nursing Program, which we're very

20 excited about. The fourth person will complete her

21 master's degree in November of this year. And it will

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1 probably be helpful for the Board to recognize the fact

2 that, yes, the college has requested several

3 opportunities to have the waiver instituted, and they are

4 keeping up, number one, with the fact that the practicing

5 members have completed their masters or are in the

6 process of completing, and number two, that they are

7 remaining as a part of the faculty team at Allegany

8 College of Maryland.

9 So, if there are any questions, I, myself, or

10 Mrs. Clark, or Mr. Cooper can answer for you regarding

11 the current request waiver for Tammy Wolfe, we will be

12 more than happy to entertain any questions you might

13 have. Thank you.

14 MS. TURNER: Any questions from the Board?

15 (No questions posed)

16 MS. TURNER: So, do I have a motion to approve

17 the recommendation of the PEC Committee for Allegany

18 College of Maryland and their waiver for faculty? Her

19 name is Ms. Tammy Wolfe. Do I have a motion?

20 MS. LECHLITER: So moved. Lechlitter.

21 MS. TURNER: Lechlitter.

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1 MS. GIBBONS-BAKER: Gibbons-Baker.
 2 MS. TURNER: Gibbons-Baker.
 3 MS. TURNER: All in favor?
 4 ALL: Aye.
 5 MS. TURNER: All opposed?
 6 (No oppositions)
 7 MS. TURNER: Motion carries.
 8 MS. GREEN: Thank you so very much. And thank
 9 you, Mrs. Clark and Mr. Cooper, for joining us this
 10 morning from Allegany College. We appreciate you.
 11 MS. CLARK: Thank you very much.
 12 MR. COOPER: Thank you.
 13 MS. GREEN: Thank you. Our next item is \$B,
 14 and this is from the University of Maryland School of
 15 Nursing. Dr. Jane Kirschling announced her decision to
 16 step down as the Bill and Joanne Conway Dean for the
 17 University of Maryland at the end of the 2022-23 school
 18 year. We will miss her dearly, but we know that Dr.
 19 Yolanda Ogbolu is now in place as the new Bill and Joanne
 20 Conway Dean for the University of Maryland School of
 21 Nursing. Her credentials are submitted to the Board for

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1 review and determination as Chief Nursing Program
 2 Administrator for the University of Maryland School of
 3 Nursing.
 4 Because of the needs and supports within the
 5 system at the University of Maryland School of Nursing,
 6 the dean they're recognizing as the Chief Nursing Program
 7 Administrator in accordance with COMAR 10.27.03.07
 8 requirements of nursing program administrator. And we
 9 also have credentials for Dr. Kathleen McElroy who is
 10 serving now as the Interim Associate Dean for the
 11 University of Maryland School of Nursing Baccalaureate
 12 Nursing Program. We have before you in your packet in
 13 Part A and Part B the supporting information for Dr.
 14 Yolanda Ogbolu and for Dr. Kathleen McElroy.
 15 And I would like to acknowledge, Dr. Ogbolu are
 16 you still on the line with us? I know you're a busy
 17 lady, but are you still with us at this moment?
 18 MS. OGBOLU: Yes, good morning everyone. I am
 19 here.
 20 MS. GREEN: Good morning. We're so happy to
 21 have you. And, Dr. McElroy, are you here as well?

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1 MS. OGBOLU: Dr. McElroy had to log off. This
 2 is Angie Hines.
 3 MS. GREEN: Thank you, Mrs. Hines. But we are
 4 grateful for their patience, and also for the information
 5 that has been submitted.
 6 Our findings from the Education Department is
 7 that the credentials for both Dr. Ogbolu and Dr. McElroy
 8 met the criteria defined for the nursing program
 9 administrator as evidence through the supporting
 10 documents that we received. The information was accepted
 11 through the Practice and Education Committee on July 14,
 12 2023, and now our request is to the Board to approve Dr.
 13 Ogbolu as the dean as the University of Maryland's Chief
 14 Nursing Program Administrator, and to approve Dr. McElroy
 15 as the Interim Associate Dean at the University of
 16 Maryland Bachelor of Nursing Program administrator in her
 17 capacity at this time.
 18 I will entertain any questions that the Board
 19 may have. Thank you.
 20 MS. TURNER: Does the Board have any questions?
 21 (No questions posed)

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1 MS. TURNER: Do we do these separately?
 2 MR. CONTI: I would do these separately.
 3 MS. TURNER: We are going to do these
 4 separately. Do I have a motion for Dr. Ogbolu from
 5 University of Maryland? The recommendation from PEC is
 6 to approve for Chief Program Administrator again for
 7 University of Maryland School of Nursing.
 8 MS. HAYWARD: So moved. Hayward.
 9 MS. TURNER: Hayward.
 10 MS. LYONS: Second. Lyons.
 11 MS. TURNER: Lyons. All in favor?
 12 ALL: Aye.
 13 MS. TURNER: All opposed?
 14 (No oppositions)
 15 MS. TURNER: Motion carries. The second
 16 request is from PEC. They forwarded on Dr. McElroy as
 17 Interim Associate Dean for the BSN Program and as well as
 18 Interim Nursing Program Administrator for the BSN
 19 Program. Do I have a motion?
 20 MS. LECHLITER: So moved. Lechlitter.
 21 MS. TURNER: Lechlitter.

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1 MS. CASSIDY: Second. Cassidy.
 2 MS. TURNER: Cassidy. All in favor?
 3 ALL: Aye.
 4 MS. TURNER: All opposed?
 5 (No oppositions)
 6 MS. TURNER: Motion carries.
 7 MS. GREEN: Thank you. Thank you, Dr. Ogbolu
 8 for taking such time to join us this morning, and please
 9 extend our apologies to Dr. McElroy. We're glad to have
 10 you both in place and look forward to lots of good things
 11 continue to happen at the University of Maryland. Thank
 12 you very much.
 13 MS. OGBOLU: Thank you everybody, and we look
 14 forward to attending these meetings and getting updates
 15 from the Board.
 16 MS. TURNER: Thank you.
 17 MS. GREEN: The final item, which is really no
 18 longer an item, but 3C, the Education Department had
 19 received notification of FMLA, family medical leave
 20 requirements for Mrs. Karen Hammond, who is the nursing
 21 program administrator for Hagerstown Community College,

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1 and the recognition for their president that she had
 2 requested Dr. Robin Hill to serve in that time period
 3 during Mrs. Hammond's absence. So, we are just providing
 4 as an update as an FYI to let you know that that was in
 5 place. We also received notification from Mrs. Karen
 6 Hammond that she is back onboard and that she is back in
 7 place so the administrative oversight has shifted back to
 8 Mrs. Hammond. This is only as an FYI to the Board
 9 regarding this information and we are all glad that all
 10 is well with Mrs. Hammond. And we thank Dr. Robin Hill
 11 for her willingness to serve during that time. I
 12 respectfully understand that Dr. Robin Hill is a member
 13 of Board and that she is probably in attendance right
 14 now.
 15 MS. ROBIN HILL: Yes.
 16 MS. GREEN: Mrs. Hammond, are you on the line
 17 by any chance?
 18 (No response)
 19 MS. GREEN: Okay, but we thank you very much.
 20 If there any questions you may have about that we will
 21 entertain them, but it is just an FYI to the Board.

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1 (No questions posed)
 2 MS. TURNER: Thank you, Dr. Green.
 3 MS. GREEN: Thank you. We are going to move
 4 down to Legislative Affairs.
 5 MR. CONTI: We already did those.
 6 MS. TURNER: Oh, we did?
 7 MS. SCOTT: We can go to Number 8.
 8 MS. TURNER: Direct-Entry Midwives. Sorry
 9 about that. Monica?
 10 MS. MENTZER: Good morning. We are going to go
 11 to 8A. This is a request to the Board to consider an
 12 onsite visit to a licensed electrologist office.
 13 Pursuant to and in accordance with Maryland
 14 Code Annotated Health Occupations Section 8-6(b)-06,
 15 Committee Powers and Duties, specifically Section
 16 8-6(b)-11. The Electrology Practice Committee has
 17 reviewed the written notification dated June 28, 2023
 18 received from Ms. Fatima Wachuku, Licensed Electrologist
 19 E01479, on July 3rd of 2023 of her intent to open an
 20 office on Saturday, July 29, 2023 inside the Phenix Salon
 21 Suites at the Ellsworth Place Mall located at the

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1 following address: 8661 Colesville Road, Unit 129,
 2 Silver Spring, Maryland. The committee is seeking
 3 further guidance from the Board as to whether or not the
 4 Board requests that committee members, Ms. Debra Larson,
 5 license electrologist committee chairperson, and Ms.
 6 Elizabeth Spagnolla, licensed electrologist committee
 7 member, arrange for an onsite visit to be conducted of
 8 Ms. Fatima Wachuku's office to practice electrology to
 9 assure the licensed electrologist is in compliance and
 10 meets the minimum requirements as set forth in the Code
 11 of Maryland Regulations, COMAR Title 10, Subtitle 53,
 12 Chapter 7; Electrologist Office.
 13 Does the Board have any questions regarding
 14 this request from the Electrology Practice Committee?
 15 (No questions posed)
 16 MS. TURNER: Do I have a motion to approve the
 17 recommendation from the Electrology Practice Committee
 18 for an onsite visit for an electrology office identified
 19 by Ms. Mentzer?
 20 MS. JACQUELINE HILL: Motion for approval.
 21 MS. TURNER: Dr. Jacqueline Hill.

<p style="text-align: right;">Page 38</p> <p>1 MS. HAYWARD: Second. Hayward.</p> <p>2 MS. TURNER: Hayward. All in favor?</p> <p>3 ALL: Aye.</p> <p>4 MS. TURNER: All opposed?</p> <p>5 (No oppositions)</p> <p>6 MS. TURNER: Motion carries. We will move down</p> <p>7 to Quarterly Reports. Amber, do you want to go first?</p> <p>8 MS. HAVENS-BERNAL: Sure.</p> <p>9 MS. TURNER: So, this is Discipline and</p> <p>10 Compliance Program's quarterly report.</p> <p>11 MS. HAVENS-BERNAL: Good morning. I'm Amber</p> <p>12 Bernal, and as the secretary said, this is the quarterly</p> <p>13 report from the Enforcement Division's Discipline and</p> <p>14 Compliance Programs.</p> <p>15 First we will do Discipline: Total cases voted</p> <p>16 for charges and transferred to the Office of the Attorney</p> <p>17 General, 32; total summary suspensions issued including</p> <p>18 orders continuing summary suspension following a show</p> <p>19 cause hearing, 31; cases scheduled for Case Resolution</p> <p>20 Conference, 31; total Consent Orders executed, 13; total</p> <p>21 voluntary surrenders, 16; cases voted to rescind and</p>	<p style="text-align: right;">Page 40</p> <p>1 committee meetings: April, 12; May, 13; June, 14; for a</p> <p>2 quarter total of 39. New agreements given: April, 1;</p> <p>3 May, zero; June, zero; for a quarter total of 1.</p> <p>4 Expelled due to non-compliance: April, 1; May, zero;</p> <p>5 June, 1; for a quarter total of 2. Successfully</p> <p>6 discharged from the program: April, zero; May, 3; June,</p> <p>7 1; for a quarter total of 4. Active participants:</p> <p>8 April, 68; May, 65; June, 63; for a quarter total of 63.</p> <p>9 Any questions?</p> <p>10 MS. JACQUELINE HILL: Can we get a copy of</p> <p>11 that?</p> <p>12 MS. CASSIDY: It's not in our drive. What you</p> <p>13 just read is not in the Google drive for us.</p> <p>14 MS. JACKSON: My apologies. I will make sure</p> <p>15 that is resolved shortly.</p> <p>16 MS. CASSIDY: Thank you.</p> <p>17 MS. TURNER: Thank you.</p> <p>18 MS. JACKSON: Thank you.</p> <p>19 MS. TURNER: Moving down to quarterly reports</p> <p>20 for C. The CNA Advisory Committee has not met so we will</p> <p>21 have no quarterly report for them.</p>
<p style="text-align: right;">Page 39</p> <p>1 dismiss; 7; default cases sanctioned; 10; hearings</p> <p>2 resolved, show cause and evidentiary, the total is 27.</p> <p>3 For the Compliance Program: There is a total</p> <p>4 of five probation orders initiated; one order of</p> <p>5 reprimand with conditions initiated; five cases were</p> <p>6 schedule to meet with the program managers; no orders of</p> <p>7 probation were terminated; five cases were presented to</p> <p>8 the Board for a violation of probation; and there's a</p> <p>9 total of 62 cases on probation with the Board.</p> <p>10 Does anyone have any questions?</p> <p>11 (No questions posed)</p> <p>12 MS. TURNER: Thank you, Amber.</p> <p>13 MS. HAVENS-BERNAL: Thank you.</p> <p>14 MS. TURNER: The second quarterly report is for</p> <p>15 Safe Practice Committee. Ms. Jackson?</p> <p>16 MS. JACKSON: Good morning everyone. My name</p> <p>17 is Valencia Jackson. I am the manager of Safe Practice</p> <p>18 and Special Projects. Today's quarterly report will</p> <p>19 reflect April through June of 2023.</p> <p>20 Meeting scheduled per quarter: two for each</p> <p>21 month, for a quarter total of six. Scheduled for</p>	<p style="text-align: right;">Page 41</p> <p>1 We will move down to D, Direct-Entry Midwife</p> <p>2 Advisory Committee. Monica?</p> <p>3 MS. MENTZER: For Item 9D, this is the</p> <p>4 quarterly report to the Board for the Direct-Entry</p> <p>5 Midwifery Advisory Committee for the fourth quarter,</p> <p>6 Fiscal Year 2023.</p> <p>7 Meetings: The committee holds scheduled</p> <p>8 meetings monthly on the first Friday of each month. The</p> <p>9 committee meets as scheduled to conduct committee</p> <p>10 business. Meetings are held when there are sufficient</p> <p>11 agenda items and when the Board receives applications for</p> <p>12 initial licensure or renewal of licensure as a direct-</p> <p>13 entry midwife. During the fourth quarter of FY2023 the</p> <p>14 committee met three times; April, 7th; May,</p> <p>15 5th; and June 2nd.</p> <p>16 Licensees: As of June 30, 2023 there are 36</p> <p>17 active direct-entry midwives licensed in Maryland.</p> <p>18 Status of Work in Progress: As of June 30,</p> <p>19 2023 the Board approved updates to COMAR 10.64.01.15</p> <p>20 submitted to the Maryland Department of Health for review</p> <p>21 as an emergency proposal. It has been approved by the</p>

<p style="text-align: right;">Page 42</p> <p>1 Governor’s Office, signed by the Secretary, and has been 2 submitted to the AELR Administrative Executive and 3 Legislative Review Committee. It is anticipated that 4 this proposal will be printed in the July 28, 2023 5 Maryland Register with the comment period ending on 6 August 28, 2023. 7 Status of Work Completed: On its May 5, 2023 8 Open Session Committee Meeting, the committee approved 9 the renewal notice and updated application for renewal of 10 a license to practice direct-entry midwife, and presented 11 the document to the Practice and Education Committee at 12 its May 12, 2023 meeting for review and to obtain a 13 recommendation from the Practice and Education Committee 14 to the Board to approve the renewal notice and 15 application for renewal of a license to practice 16 direct-entry midwifery. At the May 24, 2023 Open Session 17 Board Meeting, the Board approved the renewal notice and 18 application for renewal of a license to practice direct- 19 entry midwifery in Maryland. On June 29, 2023 the 20 renewal notices and applications for renewal of licenses 21 to practice direct-entry midwife.</p>	<p style="text-align: right;">Page 44</p> <p>1 regulations that govern their practice as direct-entry 2 midwives in Maryland. 3 Ms. Atara Kline, who attended the committee’s 4 June 7, 2023 Open Session meeting, requested 5 clarification from the committee, if the course is 6 completed for the education requirement to obtain initial 7 licensure to practice direct-entry midwife in Maryland 8 could be used towards the requires 20 9 Board-approved CEUs for the renewal of a Maryland Board 10 of Nursing issued direct-entry midwife license for an 11 initial license issued in June of 2023 with an expiration 12 date of October 28, 2023. The committee requested the 13 inquiry be reviewed by the Maryland Board of Nursing 14 Practice and Education Committee. The Practice and 15 Education Committee met on June 9, 2023 and reviewed Ms. 16 Kline’s inquiry and determined that the approved 17 education courses taken for initial licensure to practice 18 as a direct-entry midwife in Maryland would not be able 19 to be applied to the renewal application of a Board- 20 issued direct-entry midwife license, and that a licensee 21 be issued an initial license to practice direct-entry</p>
<p style="text-align: right;">Page 43</p> <p>1 Maryland Annual Data Collection Forms for FY22: 2 Date of report of July 1st of the previous calendar year 3 through June 30th of the current calendar year was sent 4 to each of the 36 currently licensed direct-entry 5 midwives. The committee reviewed three applications for 6 licensure to practice direct-entry midwifery received to 7 the Board and was able to recommend Caitlin Manella, 8 Atara Kline, and Ann Monson to the Board as meeting the 9 minimum requirements for approval of licensure to 10 practice direct-entry midwifery. At its Open Session on 11 May 24, 2023 the Board accepted the committee’s 12 recommendation and approved Caitlin Manella for licensure 13 as a direct-entry midwife. At its Open Session meeting 14 on June 28, 2023 the Board accepted the committee’s 15 recommendation and approved Atara Kline for licensure and 16 Ann Monson for licensure as direct-entry midwives. A 17 letter of notification was sent to each of the three 18 newly licensed direct-entry midwives to inform the 19 applicants that their licenses to practice direct-entry 20 midwifery in Maryland was issued, and included 21 information regarding where to find the statutes and</p>	<p style="text-align: right;">Page 45</p> <p>1 midwifery in June of 2023 would be required to submit 2 documentation of 20 Board-approved CEUs with a required 3 application for renewal of license to practice direct- 4 entry midwifery. Ms. Kline was notified in writing of 5 the Practice and Education Committee’s decision to her 6 inquiry of the requirement to submit 20 approved CEUs for 7 renewal of the direct-entry midwifery license with an 8 expiration date of October 28, 2023 in a letter of 9 notification sent to her by U.S. Postal Service on June 10 29, 2023 of her initial license to practice as a direct- 11 entry midwife in Maryland. 12 The next meetings of the Direct-Entry Midwifery 13 Committee have been scheduled for August, 4th; September, 14 1st; and the Direct-Entry Midwifery meeting on July 7, 15 2023 was cancelled. 16 Any questions about that report? 17 (No questions posed) 18 MS. TURNER: Monica, do you want to move on 19 down to E, Electrology? 20 MS. MENTZER: Okay. Moving on to 9E, this is 21 the Electrology Practice Committee.</p>

<p style="text-align: right;">Page 46</p> <p>1 The Electrology Practice Committee meets as 2 necessary to conduct committee business, and the meetings 3 are held when there is sufficient agenda items or when 4 the Board receives initial or renewal applications for 5 licensure as a electrologist or as an electrology 6 instructor.</p> <p>7 The committee met three times during the fourth 8 quarter of FY2023; April, 12th; May, 10th; and June 14, 9 2023. Currently there are 53 actively licensed 10 electrologists and two actively licensed electrology 11 instructors in Maryland.</p> <p>12 Status of Work in Progress: The Board approved 13 the committee’s recommendation for updates to the Code of 14 Maryland Regulations, specifically COMAR 10.53.08: 15 Instruments and Procedures; and COMAR0.53.09: 16 Sterilization Procedures. The Board approved proposal to 17 update COMAR 10.53.08 and COMAR 10.53.09. They have been 18 submitted to the Maryland Department of Health, and were 19 approved by the Secretary of Health on May 19, 2023.</p> <p>20 Status of Work Completed: On May 21, 2023 21 committee members Debra Larson and Ms. Elizabeth</p>	<p style="text-align: right;">Page 48</p> <p>1 finalized and recommended for approval by the committee. 2 At its May 12, 2023 Practice and Education Committee 3 meeting, the renewal notice and updated application for 4 renewal of licensure to practice electrology were 5 recommended for approval, and the documents were then 6 presented to the Board at its May 24, 2023 Open Session 7 Board Meeting, and were approved by the Board. At its 8 June 214, 2023, the committee recommended a letter be 9 sent to Mr. Barry Berkowits, director of the Berkowits 10 School of Electrology, to request that the Berkowits 11 curriculum for students educated at the Berkowits School 12 of Electrology be provided with information about certain 13 requirements for licensure in Maryland, and that the 14 students who plan to be licensed and work in Maryland 15 should be provided with a copy of the laws and 16 regulations governing the practice of electrology in 17 Maryland. A letter of notification, please see 18 attachment, was sent to Mr. Barry Berkowits with the 19 necessary information addressing this matter on June 26, 20 2023. On June 29, 2023 the renewal packets, including 21 the Board-approved renewal notices and applications for</p>
<p style="text-align: right;">Page 47</p> <p>1 Spagnolla administered the clinical and Maryland law 2 examinations to applicant Ms. Fatima Wachuku. Ms. 3 Wachuku was successful in passing the administered 4 clinical and law examinations. On its June 14, 2023 5 committee meeting, the committee approved the review of 6 the completed application for initial license to practice 7 electrology from applicant Ms. Fatima Wachuku, and made a 8 recommendation to the Board to approve Ms. Wachuku as 9 meeting the minimum requirements for licensure to 10 practice electrology in Maryland. At the Board’s June 11 28, 2023 Open Session Board Meeting, the Board accepted 12 the recommendation from the committee that Ms. Fatima 13 Wachuku be issued a license to practice electrology in 14 Maryland. A letter of notification was sent to Ms. 15 Fatima Wachuku, licensed electrologist, Licenses Number 16 E01479 on June 29, 2023 to notify her of the issuance of 17 an electrology license. At its April 12, 2023 committee 18 meeting, the committee members reviewed the renewal 19 notice and updated application for a renewal of a license 20 to practice electrology with suggested changes to both 21 documents. At its May 10, 2023 meeting, documents were</p>	<p style="text-align: right;">Page 49</p> <p>1 renewal of licensure to practice electrology, were sent 2 by U.S Postal Service to 52 active licensed 3 electrologists and two active licensed electrology 4 instructors.</p> <p>5 Membership: At its May 24, 2023 meeting, the 6 Board approve the reappointment of Ms. Elizabeth 7 Spagnolla, licensed electrologist, for a second 4-year 8 term on the committee. A letter of notification was sent 9 by U.S. Postal Service to notify Ms. Spagnolla of the 10 reappointment to a full second 4-year term as a committee 11 member. Ms. Debra Larson, chair of the committee, has 12 completed her second 4-year term as a committee member on 13 June 30, 2021. The Board has posted notice on its 14 website requesting interested licensed electrologists who 15 meet all the requirements for appointment to the 16 committee to submit a letter of interest with resume’ to 17 the Board. To date, the Board has not received any 18 potential candidates interested in being considered for 19 an appointment to replace Ms. Larson. Ms. Larson 20 continues to be able to serve unless and until a 21 successor is appointed and qualifies in accordance with</p>

<p style="text-align: right;">Page 50</p> <p>1 Maryland Code Annotated Health Occupation Section 8-6(b)- 2 05-(f)3. The next committee meetings have been scheduled 3 for July, 12, which occurred on July, 12; August, 9; and 4 September 13, 2023. 5 Are there any questions about the electrology 6 quarterly report? 7 (No questions posed) 8 MS. TURNER: Thank you, Monica. 9 MS. JACQUELINE HILL: Very thorough. 10 MS. MENTZER: Yes, we've been very busy. 11 MS. TURNER: That moves us down to under 12 Quarterly Reports, F, Practice and Education, and we have 13 no quarterly report for them. G, Investigations Status 14 Report, Ms. Boyd. 15 MS. JOHNSON: Good morning everyone. I'm 16 Rosalyn Johnson from Complaints and Investigations 17 Department. I will be doing the quarterly reports for 18 April, May, and June. 19 Complaints received in April, 48; May, 69; 20 June, 68; for a quarter total of 185. Priority 21 complaints, April, 3; May, 12; June, 6; for a quarter</p>	<p style="text-align: right;">Page 52</p> <p>1 nursing assistants, 2,479; and direct-entry midwives, 3; 2 for a quarter total of 4,522 backgrounds processed. 3 And then, I would like to give the statistics 4 for the cases that we presented during the quarter. So, 5 cases processed through the matrix, 111 cases; and cases 6 processed through the Board, 24; for a total of 135 7 cases. The charts on the second page just display the 8 information in a different way so that you can see the 9 percentage. The CNAs, 55 percent of our work; the 10 registered nurses and LPNs, 22 percent of our work, and 11 that's for backgrounds cleared; and then the RNs and LPNs 12 exams, 23 percent; and then the bottom chart is just a 13 layout of the cases that we prepared during that quarter. 14 Some of the highlights of the quarter, we hired 15 a new employee. She's working on the CNA list to clear, 16 Ms. Robertson. And then, also, as Rhonda pointed out 17 being back on the network, my team was highly affected 18 when we had to switch back and forth to reach the 19 different systems. So, we could actually see a high 20 increase in just work reduction. We just couldn't 21 process as many people. So now that we're back on the</p>
<p style="text-align: right;">Page 51</p> <p>1 total of 21. Complaints closed by take no action, April, 2 30; May, 21; June, 24; for a quarter total of 75. 3 Complaints closed by charges, April, 7; May, 5; June, 5; 4 quarter total of 17. Cold case complaints, backlog 5 review close by take no action, April, 32; May, zero; 6 June, 433; for a quarter total of 465. Cold case 7 complaints closed administratively, April, 51; May, 11; 8 June, 1; for a quarter total of 63. The average number 9 of days from a receipt of complaint to ROI submission, 10 April, 315; May, 142; June, 292; for a quarter total of 11 249. Total open complaints, cold case, 3,184; and 12 current cases, 3,015. 13 Are there any questions? 14 (No questions posed) 15 MS. TURNER: Thank you. Moving on to H, which 16 is Background Review Quarterly Report. 17 MS. SANDERS: Good morning. My name is Della 18 Sanders. I am with the Background Review Team, and I 19 would like to give the statistics for the fourth quarter. 20 Backgrounds that we cleared during the quarter: 21 Nurse endorsements, 1,008; nurse exams, 1,032; certified</p>	<p style="text-align: right;">Page 53</p> <p>1 network we're excited about it. I look forward to 2 presenting higher numbers next quarter. 3 MS. TURNER: We are, too. 4 MS. SANDERS: Any questions? 5 MS. JACQUELINE HILL: I appreciate the graphics 6 that you made. It makes it easier to see what is setting 7 them. 8 MS. SANDERS: Yes. 9 MS. JACQUELINE HILL: I appreciate that extra 10 effort you put into it. 11 MS. TURNER: Did you have any other comments? 12 13 MS. JACQUELINE HILL: No, that was it. 14 MS. TURNER: Okay. 15 MS. SANDERS: Thank you. 16 MS. TURNER: Thank you. That moves us down to 17 the Fiscal Management Report. 18 MS. KUKOI-SANYAOLU: Good morning. 19 MS. TURNER: Good morning. 20 MS. KUKOI-SANYAOLU: My name is Morinat Kuko- 21 Sanyaolu, the director of operations, and I will be</p>

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1 presenting the fourth quarter of fiscal 2023 budgets.
 2 Our current revenue for Fiscal Year '23 was
 3 \$9,498,518.00, which were led by our expenses as well,
 4 which were \$9,524,618.00, which gave us a gross net
 5 profit of a deficit of minus \$26,000.00. So, with that
 6 being said, the adjusted revenue, which is the gross
 7 revenue minus our transferred fees, and the transferred
 8 fees relates to the nurse renewals as well as the nurse
 9 practitioner tax credit of the total amount of
 10 \$279,703.00, which was subtracted from the revenue to
 11 give us our adjusted revenue of \$9,218,815.00. We
 12 subtracted the expenses from that, which gave us a
 13 deficit for the fourth quarter of \$305,803.00. So, with
 14 that, lack of money in the revenue adjusted, we've not
 15 generated enough revenue to keep up with our current
 16 expenses.
 17 I have come up with some suggested
 18 recommendations of the Board whereby it's to increase our
 19 current application fees, change the fees for services.
 20 And the change of fees for services which include late
 21 fees, verification fees, name and address changes, and

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1 the training program site visits that we do have. So,
 2 those are some of the recommendations that I would like
 3 to share with the Board.
 4 Is there any questions?
 5 MS. JACQUELINE HILL: I appreciate the
 6 recommendations that you are offering. Do you have any
 7 amount in mind for those areas? Such as late fees, \$30
 8 extra? Have you thought about that part as far as how
 9 much we should charge for each one of these areas you
 10 identified?
 11 MS. KUKOI-SANYAOLU: I am currently working
 12 with that with our executive director. We're trying to
 13 get that information.
 14 MS. SCOTT: So everyone knows, Iman had
 15 conducted some research for us awhile back on fees and
 16 changing our fees just to make sure that we're consistent
 17 with surrounding states and things like that. So we're
 18 still working on that information. Additionally, we're
 19 hoping that these numbers will look better moving forward
 20 just because pursuant to House Bill 611, the Secretary
 21 now having control over the Board's infrastructure and

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1 things like that, we're going to have assistance with
 2 taking care of a lot of those costs. We have been
 3 working with DBM, Department of Budget Management, on
 4 just kind of parsing through infrastructure costs and
 5 things like that. So we're hoping that we will be seeing
 6 some improvement in revenue.
 7 MR. CONTI: All of our fees need to be set
 8 forth in regulations. Before we can change any fees, we
 9 have to go through that process of amending the
 10 regulations.
 11 MS. STEINBERG: I noticed that the expenses
 12 went up about 800,000, if I did math right. Was there
 13 something that led to such a significant increase in the
 14 expenses?
 15 MS. KUKOI-SANYAOLU: I can only speak on this
 16 fiscal year, but I can always get back to you guys with
 17 that information.
 18 MS. STEINBERG: Yeah, from '22 to '23 it looks
 19 like it.
 20 MS. KUKOI-SANYAOLU: Yes, there has been an
 21 increase in expenses. I will have to get back to you on

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1 that.
 2 MS. STEINBERG: When will we start the process
 3 for the regulatory changes?
 4 MR. CONTI: As soon as we can.
 5 MS. SCOTT: Yeah, I mean, we are working on it.
 6 We have the data. We are working on the regs, yes. As
 7 soon as we can get them, we will be doing that.
 8 MS. TURNER: Thank you.
 9 MS. KUKOI-SANYAOLU: Any questions?
 10 (No questions posed)
 11 MS. KUKOI-SANYAOLU: Thank you.
 12 MS. TURNER: Thank you. Licensure, Ms. Bailey?
 13 MS. BAILEY: Good morning.
 14 ALL: Good morning.
 15 MS. BAILEY: So, this is my licensing report,
 16 and it has a lot of stuff in it because I wanted you guys
 17 to see our process and understand what it takes to
 18 process for endorsement and also renewals and advanced
 19 practice. And if you see the flowchart, you see all the
 20 steps that are required. That does take time, especially
 21 when an application is not complete. Then, the line

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1 graph I wanted to add because I wanted to show the work
 2 that we had done in the last six months to bring down the
 3 processing time, which we are very proud of. I have that
 4 for endorsement, I have it for renewals, and I have it
 5 for advanced practice.
 6 Now, we have also built up our department. We
 7 have four new employees; one in renewals, two in
 8 endorsement, and one in advanced practice. And then
 9 finally, on our last page I have our totals, and I put
 10 FY22 because we wanted to close that out and we wanted to
 11 show you all of '23.
 12 So, for '23, we have licensed 6,763 RNs; we've
 13 licensed 705 LPNs, we have issued 2,049 temporary
 14 licenses, and we have licensed 12,289 advanced practices.
 15 We also did 45,786 renewals in our last fiscal year. And
 16 with all of our totals added up that comes to 58,075.
 17 Are there any questions?
 18 MS. STEINBERG: Thank you for this flowchart.
 19 MS. BAILEY: Thank you. We hope to do more.
 20 And I have to repeat what everyone else has said, being
 21 hardwired and not changing from system to system has

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1 really boosted our productivity and we expect to do a lot
 2 more.
 3 MS. TURNER: Thank you.
 4 MS. JACQUELINE TURNER: I have a question.
 5 MS. TURNER: Dr. Hill?
 6 MS. JACQUELINE HILL: I am amazed at this
 7 graph. So all of this happened in the last quarter?
 8 MS. BAILEY: Yes, ma'am.
 9 MS. JACQUELINE HILL: And this is the advanced
 10 practice quarterly processing time?
 11 MS. BAILEY: Yes.
 12 MS. JACQUELINE HILL: And that's 120 hours or
 13 120 days? What is that number?
 14 MS. BAILEY: Let me see where you're looking.
 15 For the advanced practice graph?
 16 MS. JACQUELINE HILL: Yes, as far as the
 17 processing time.
 18 MS. BAILEY: Right. When we started collecting
 19 our data, we were averaging over 100 days just to process
 20 the application. Because, remember, advanced practice
 21 had one person, and that one person was doing the best

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1 that she could at that time. We now have three, looking
 2 forward to getting a fourth person. And in the process
 3 of disorganizing, tweaking some of our steps, we are now
 4 current. And did not say that all three departments are
 5 current. When an application comes to us, we begin the
 6 process that day.
 7 MS. JACQUELINE HILL: I'm impressed.
 8 MS. BAILEY: Thank you. Anything else?
 9 MS. ROBIN HILL: I have a question.
 10 MS. BAILEY: Sure.
 11 MS. ROBIN HILL: So renewal, endorsement, and
 12 advanced practice — what about initials?
 13 MS. BAILEY: Initial is not in licensing right
 14 now. That's part of Education.
 15 MS. ROBIN HILL: Okay.
 16 MS. SCOTT: So, endorsement is still considered
 17 initial because they are initial Maryland licenses, but
 18 you're talking about NCLEX applicants.
 19 MS. BAILEY: Right.
 20 MS. SCOTT: And remember what we just mentioned
 21 is that we just had one person processing for the entire

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1 year, and so we haven't gathered all that data yet. We
 2 will have one person that is still in training.
 3 MS. WESTERFIELD: So, just out of curiosity,
 4 why would there be three individuals in advanced
 5 practice, and only two in licensing? How does that get
 6 determined?
 7 MS. SCOTT: Do you mean in Education?
 8 MS. WESTERFIELD: Well, yeah. You said you had
 9 three individuals now, but in licensing, initial
 10 licensing for NCLEX, you said you only have two now.
 11 MS. SCOTT: Those are just the positions we've
 12 had for each department and we're looking to add. So,
 13 we're adding more positions to Education. We have
 14 another position that we're be posting shortly for that
 15 department as well.
 16 MS. JACQUELINE HILL: Would there be a larger
 17 number for pre-licensure?
 18 MS. WESTERFIELD: You would think that would be
 19 a larger number than advanced practice.
 20 MS. SCOTT: As far as the number of licensed
 21 applicants, yeah. It's depending on the time of year.

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1 MS. WESTERFIELD: Of who gets the people,
 2 right? If there's more licenses than pre-licensure then
 3 you would assume you would have additional to process.
 4 MS. SCOTT: One of the things to keep in mind
 5 is during the pandemic when everyone was struggling, that
 6 department of licensing, we had a lot more complaints and
 7 concerns and backlog in that department, particularly
 8 renewals. So that was our main focus. With the NCLEX
 9 applicants, they have their timeframe. They are busy at
 10 different times during the year so we try to get more
 11 help for them particularly around graduation, May,
 12 December.
 13 MS. JACQUELINE HILL: I am just glad to see the
 14 progress.
 15 MS. HAYWARD: As for the slots, are they that
 16 specific of where they have to work?
 17 MS. SCOTT: We have an option to kind of
 18 reassign as needed. We're working on, like I said,
 19 filling the positions. We don't have additional PINs.
 20 We're really excited because our merit PINs, which are
 21 the noncontractual, are the ones that we focused on

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1 first. I don't have the exact numbers. We were at
 2 eleven vacancies, I think. At this point, there is
 3 action on all of them except maybe one or two where we've
 4 submitted a request to recruit. It's gotten approved and
 5 we're just waiting for it to post and we are waiting for
 6 the list. So there's a lot of movement when it comes to
 7 filling those positions.
 8 MS. HAYWARD: Has that structure gotten more
 9 sophisticated to equipped to not wait this long?
 10 MS. SCOTT: Yes. One of the biggest helps for
 11 us is that we got our HR liaison back. She started back
 12 in May. So, since then, we've had someone directly to
 13 communicate directly with OHR downtown, and they are
 14 really assisting us with getting things done quickly.
 15 They have done a great job at prioritizing these requests
 16 for recruits for us. So that's why we've been able to
 17 recruit a lot faster.
 18 MS. STEINBERG: I think the hiring is great,
 19 but I just wanted to note that as we hire the expenses
 20 are going to continue to go up. That is another reason
 21 why we need to increase the revenue.

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1 MS. SCOTT: Yes, absolutely.
 2 MS. TURNER: That takes us down to Number 10,
 3 which is Other. Anybody online have any questions or
 4 comments?
 5 (No responses)
 6 MS. TURNER: Anybody in the room present?
 7 MR. WIDNEY: I have a question or comment.
 8 MS. TURNER: Yes. Could you identify who you
 9 are?
 10 MR. WIDNEY: Yeah, sure. I am representing my
 11 institution. We offer a nursing degree programs and
 12 advanced practice nursing, in particular. We had a
 13 student that recently reached out to us who had applied
 14 for a license in Maryland. She completed all of her
 15 course work in the State of North Carolina, currently
 16 practicing in the State of Michigan. We submitted an
 17 application for approval a little over three months ago,
 18 and we weren't really sure what the process was like. We
 19 are basically just trying to advocate for our student to
 20 make sure she can get licensed to practice in the State
 21 of Maryland. As I said, we submitted our institutional

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1 application on April 20th, and we weren't sure of the
 2 timeline. The communications we've gotten were unclear
 3 about what we can expect to communicate back to the
 4 student. So, I was wondering if there were any
 5 indications of what kind of timeline we might be looking
 6 at for approval for advanced practice.
 7 MS. SCOTT: Thank you for your question. Those
 8 are usually handled on an individual basis. So, what I
 9 can do, I will take your information, your name, and your
 10 contact and we can reach back out to you to get the
 11 individual student's name so we can review their
 12 individual application.
 13 Can you provide your name again?
 14 MR. WIDNEY: Yeah, that would be fantastic. My
 15 name is Evan Widney. You can reach me at
 16 Widney@duke.edu.
 17 MS. SCOTT: Thank you, Mr. Widney, again for
 18 your question, and we will be reaching out to directly to
 19 follow up. Okay?
 20 MR. WIDNEY: Can I ask who this is that I am
 21 speaking with?

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1 MS. SCOTT: This is Rhonda Scott, the acting
 2 executive director.
 3 MR. WIDNEY: Okay, Rhonda. Thank you so much.
 4 I really appreciate it.
 5 MS. SCOTT: No problem.
 6 MS. TURNER: Thank you. In a moment I am going
 7 to ask if there is a motion to close the Open Session,
 8 but first I am going to walk us through the written
 9 statement that is required by the Open Meetings Act to
 10 ensure that all Board members agree with its contents.
 11 As documented in written statement, the
 12 statutory authority to close this Open Session and meet
 13 in Closed Session is General Provisions 3-305(b)13, which
 14 gives the Board the authority to close an Open Session to
 15 comply with a specific constitutional, statutory, or
 16 judicially imposed requirement that prevents public
 17 disclosures about a particular matter or proceeding.
 18 The topic to be discussed during Closed Session
 19 is applications for licensure and/or certifications. The
 20 reason for discussing this topic in Closed Session is to
 21 discuss confidential matters that are prohibited from

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1 public disclosure by the Annotated Code of Maryland,
 2 Health Occupations Article 8-303(f); Health Occupations
 3 Article 8-320(a); and Health Occupations Article 1-401,
 4 and General Provisions Article 4-333. In addition, the
 5 Board may also perform quasi-judicial and administrative
 6 functions involving disciplinary matters during the
 7 Closed Session.
 8 Is there a motion to close this Open Session
 9 pursuant to the statutory authority and the reasons cited
 10 in the written statement or any discussion thereof?
 11 MS. HAYWARD: So moved. Hayward.
 12 MS. TURNER: Hayward.
 13 MS. CASSIDY: Second. Cassidy.
 14 MS. TURNER: Cassidy. All in favor?
 15 ALL: Aye.
 16 MS. TURNER: Opposed?
 17 (No oppositions)
 18 MS. TURNER: Session closed. Thank you.
 19 (Whereupon, at 10:24 a.m. the Open Session was
 20 adjourned.)
 21

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1 CERTIFICATE OF NOTARY
 2 I, EDWARD BULLOCK, a Notary Public of the State of
 3 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 26th day of July, 2023.
 12
 13
 14
 15 _____
 16 Edward Bullock, Notary Public
 17 in and for the State of Maryland
 18
 19 My commission expires: May, 13, 2027
 20
 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: 7/26/2023 Time: 10:23 am
Location: Maryland Board of Nursing, 4140 Patterson Avenue, Baltimore, MD
Motion to close meeting made by: Hayward Seconded by Cassidy
Members in favor: Lechliter, Cassidy, Gibbons-Baker, Hayward, Turner, J. Hill,
Opposed: None Abstaining: None Westerfield,
Absent: Hicks, Owoumana Lyon,
R. Hill,
Steinberg

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) X "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) ()		
§ 3-305(b) ()		

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