

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 952 (Senator Augustine)
Education, Health, and Environmental Affairs

Health Occupations - Internship and Residency Training Requirements - Waiver
for Former Service Members Injured in Combat

This bill requires a health occupations board to waive any internship or residency training requirements for licensure, certification, or registration for a former service member who is disabled as a result of injury from combat deployment. The former service member must have (1) been discharged from active duty under circumstances other than dishonorable; (2) successfully completed the education requirements for licensure, certification, or registration; and (3) passed any examination required for licensure, certification, or registration. A health occupations board must assist a former service member who is disabled as a result of injury from combat deployment with the application process for licensure, certification, or registration, as specified.

Fiscal Summary

State Effect: Since it is assumed that this bill applies in a limited number of cases, the bill's requirements can likely be handled with existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Chapters 154 and 155 of 2013 (also known as the Veterans Full Employment Act of 2013) require health occupations boards to expedite the licensure, certification, or registration of a service member, veteran, or military spouse. The boards

must also assign an advisor to assist the individual with the application process and provide specified information to assist in the licensing, certification, or registration process. The Maryland Department of Health (MDH) must also credit specified military training and education completed by a service member toward licensure or certification requirements.

If a service member, veteran, or military spouse meets the requirements for licensure, certification, or registration, each health occupations board must expedite the licensure, certification, or registration process and issue the credential within 15 days after receiving a completed application.

If a health occupations board determines that a service member, veteran, or military spouse does not meet the education, training, or experience requirements for licensure, certification, or registration, a representative of the board must assist the individual in identifying programs that offer relevant education or training or ways of obtaining needed experience.

Each health occupations board must publish information on its website related to the expedited licensing process and any related assistance and services provided by the board to service members, veterans, and military spouses.

In addition, each health occupations board may allow a licensee or certificate holder who is a member the U.S. Armed Forces deployed outside the United States or its territories to (1) renew the license or certificate after the expiration of the renewal period without payment of a penalty or reinstatement fee if the late renewal is a direct result of the deployment and (2) complete any continuing education or continuing professional competency requirements or criminal history records check required for licensure within a reasonable time after renewing the license or certificate.

Licensure, certification, and registration requirements vary among Maryland's 20 health occupations boards. Generally, all boards require an applicant to have specified education and pass a national and/or State examination. Many boards require specified experience or training requirements to qualify for licensure. For example:

- Applicants for initial licensure as a physician must submit evidence of successful completion of two years training in an accredited U.S. postgraduate clinical medical education program or its equivalent.
- Applicants for initial licensure as a podiatrist must complete at least one year of postgraduate clinical training in podiatry (or have at least five years consecutive practice as a podiatrist).
- Applicants for initial licensure as a pharmacist must complete 1,000 hours in a school-supervised pharmacy practice experience program (1,560 hours of full-time training for foreign graduates only).

- Applicants for initial certification as an advanced practice registered nurse (APRN) must identify a mentor who will consult and collaborate with the applicant for 18 months prior to the applicant qualifying for licensure.
- Applicants for initial licensure as a nursing home administrator (NHA) through the nursing home administrator-in-training program must complete a supervised 12-month full-time (40 hours per week) or 18-month part-time (30 hours per week) internship under the guidance and supervision of a licensed NHA.

State Expenditures: The Maryland Board of Physicians (MBP), the State Board of Pharmacy, and the State Board of Dental Examiners advise that the bill can be handled with existing budgeted resources. MDH advises that the bill will have no impact on revenues or expenditures for the other health occupations boards.

The Maryland Board of Nursing (BON) advises that the bill requires the board to establish a waiver from the mentorship requirement for APRNs, including creating new workflows, updating current waivers and licensing applications, assisting former service members who are disabled as a result of injury from combat deployment with the application process, and updating its information technology (IT) platform. BON must hire two full-time, permanent staff and make approximately \$75,000 in IT expenditures to fulfill these requirements. The Department of Legislative Services (DLS) disagrees and advises that BON is currently required to offer additional licensing assistance to service members, veterans, and military spouses under current law. DLS advises further that the number of individuals who qualify for the waiver and additional services under the bill is expected to be small. Thus, it is likely that BON can handle the bill's requirements with existing budgeted resources.

Additional Comments: MBP advises that waiving the residency training requirement for licensure has the potential to endanger the public by allowing health care providers with inadequate training and experience to practice medicine in Maryland.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland Department of Health; Department of Veterans Affairs; Military Department; Department of Legislative Services

Fiscal Note History: First Reader - March 15, 2021
rh/jc

Analysis by: Amber R. Gundlach

Direct Inquiries to:
(410) 946-5510
(301) 970-5510