

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 276 (Delegate Cullison)
Health and Government Operations

Health Occupations - Clinical Nurse Specialists - Prescribing Authority

This bill authorizes a “clinical nurse specialist” (CNS) to “practice as a clinical nurse specialist” for the purpose of prescribing drugs and durable medical equipment (DME), among other things. The bill designates a CNS as an “authorized prescriber” under the Maryland Pharmacy Act. Practice as a CNS is governed by rules and regulations adopted by the State Board of Nursing (BON) and that concern additional acts in the practice of registered nursing. The bill specifies that an advanced practice registered nurse (APRN) with prescriptive authority working with a physician in the same office setting is not prohibited from prescribing specified drugs.

Fiscal Summary

State Effect: Expanding the scope of practice for a CNS does not substantively change governmental operations or finances. BON can implement the bill with existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: “Clinical nurse specialist” means an individual who is (1) licensed by BON to practice registered nursing; (2) certified by BON to practice as a CNS; and (3) authorized to prescribe drugs and DME under regulations adopted by BON.

“Practice as a clinical nurse specialist” means to (1) provide direct care to patients with complex needs; (2) act as a consultant to another health care provider as needed; (3) conduct health-related research; and (4) provide education and guidance for staff nurses. Practice as a clinical nurse specialist includes (1) ordering, performing, and interpreting laboratory and diagnostic tests; (2) prescribing drugs and DME, as specified; (3) ordering home health and hospice care; and (4) initiating, monitoring, and altering appropriate therapies or treatments.

Current Law: In general, an individual must be licensed as a registered nurse (RN) and be certified as an APRN by BON. An APRN is certified by BON to practice as a nurse practitioner, nurse anesthetist, nurse midwife, or CNS.

Registered Nurse

Practice registered nursing means the performance of acts requiring substantial specialized knowledge, judgment, and skill based on the biological, physiological, behavioral, or sociological sciences as the basis for assessment, nursing diagnosis, planning, implementation, and evaluation of the practice of nursing to maintain health, prevent illness, or care for or rehabilitate the ill, injured, or infirm.

An applicant for a RN license must complete and meet all requirements for a diploma or degree from a registered nursing education program approved by BON, or an education program in registered nursing in any other state or country that BON finds substantially equivalent to programs in the State. RN applicants must also pass an examination developed by the National Council of State Boards of Nursing, demonstrate English language competency, and be of good moral character.

Advanced Practice Registered Nurse

An applicant for an advance practice certification (including CNS) must (1) be a licensed RN or have a privilege to practice under the Nurse Licensure Compact; (2) complete an education program approved by BON; (3) submit a completed application for each area in which certification is sought; and (4) submit documentation that the applicant has graduated from a graduate-level accredited program for advanced practice registered nursing and of certification as an APRN by a national certifying body recognized by BON.

Clinical Nurse Specialist

Under Maryland regulations ([COMAR 10.27.27.02](#)), an applicant for certification as a CNS must (1) be a licensed RN or have a privilege to practice under the Nurse Licensure Compact; (2) complete a graduate level education program accredited by specified entities; (3) complete a national certifying exam; (4) hold a current national certification as a CNS;

(5) submit a completed application for certification as a CNS; (6) comply with specified regulations; (7) demonstrate oral and written competency; and (8) pay all fees. CNA practice encompasses the continuous improvement of patient outcomes and nursing care, including creating therapeutic environments through mentoring and system changes, and practicing with individual clients, families, groups, and populations of clients.

Prescriber Authority

An “authorized prescriber” is any licensed dentist, licensed dental hygienist with prescriptive authority, licensed physician, licensed podiatrist, licensed veterinarian, advanced practice nurse with prescriptive authority, or other individual authorized by law to prescribe prescription or nonprescription drugs or devices.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 513 (Senator Eckardt) - Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - January 28, 2022
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