

# MedChi

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**TO:** The Honorable Shane E. Pendergrass, Chair  
Members, House Health & Government Operations Committee  
The Honorable Bonnie Cullison

**FROM:** J. Steven Wise  
Pamela Metz Kasemeyer  
Danna L. Kauffman  
Richard A. Tabuteau

**DATE:** March 3, 2020

**RE:** **SUPPORT WITH AMENDMENT** – House Bill 691 – *Health Occupations – Nurse Practitioners – Certifications of Competency and Incapacity*

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The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, **supports with amendments** House Bill 691.

As introduced, House Bill 691 would have authorized a nurse practitioner who has examined a disabled person to be one of the two health care practitioners who may sign a certificate of competency for a petition for guardianship of the person. The bill also would have authorized a nurse practitioner to be one of the two health care practitioners permitted to certify that a patient is (1) incapable of making an informed decision regarding specified treatment; (2) in a terminal condition or has an end-stage condition; or (3) in a persistent vegetative state.

MedChi was concerned about the absence of a physician in certain of these situations in the original bill. However, as amended, the legislation addresses MedChi's concerns. First, the amendments maintain the current law that at least one physician be involved in the certification required for guardianship, but adds a nurse practitioner as one of the health professionals who can serve as the second. Similarly, a physician is still required to certify that a patient has a terminal or end-stage condition, but the nurse practitioner may serve as the second such health professional to make that certification. Finally, as amended, the bill leaves existing law intact requiring that two physicians with special expertise in the field of cognitive functioning certify that a person is in a persistent vegetative state.

With these amendments, MedChi supports House Bill 691.

**For more information call:**

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