A BILL ENTITLED

AN ACT concerning

Health Occupations – Clinical Nurse Specialists – Prescribing Authority

FOR the purpose of defining “clinical nurse specialist” and “practice as a clinical nurse specialist” for the purpose of authorizing clinical nurse specialists to prescribe drugs and durable medical equipment under regulations adopted by the State Board of Nursing; altering the definition of “authorized prescriber” for purposes of the Maryland Pharmacy Act to include clinical nurse specialists; authorizing a licensed physician to personally prepare and dispense a prescription written by a clinical nurse specialist; and generally relating to the prescription authority of clinical nurse specialists.

BY repealing and reenacting, without amendments,

Article – Health Occupations
Section 8–101(a) and (b)
Annotated Code of Maryland
(2021 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 8–508(a)(2)(ii), 12–101(b), and 12–102(c)(2)(iv).2.
Annotated Code of Maryland
(2021 Replacement Volume)

BY adding to

Article – Health Occupations
Section 8–514
Annotated Code of Maryland
(2021 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
Article – Health Occupations

8–101.

(a) In this title the following words have the meanings indicated.

(b) “Advanced practice registered nurse” means an individual who:

(1) (i) Is licensed by the Board to practice registered nursing; or

(ii) Has a multistate licensure privilege to practice registered nursing under the Nurse Licensure Compact; and

(2) Is certified by the Board to practice as:

(i) A nurse practitioner;

(ii) A nurse anesthetist;

(iii) A nurse midwife; or

(iv) A clinical nurse specialist.

8–508.

(a) (2) “Nurse practitioner” means a registered nurse who is:

(ii) Authorized to prescribe drugs under regulations adopted by the [State] Board [of Nursing].

8–514.

(A) (1) In this section the following words have the meanings indicated.

(2) “Clinical nurse specialist” means an individual who is:

(i) Licensed by the Board to practice registered nursing;

(ii) Certified by the Board to practice as a clinical nurse specialist; and

(iii) Authorized to prescribe drugs and durable medical equipment under regulations adopted by the Board.
“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 durable medical equipment as provided under paragraph (2)(iii) of this subsection;
3. Ordering home health and hospice care; and
4. Initiating, monitoring, and altering appropriate therapies or treatments.

Practice as a clinical nurse specialist is governed by rules and regulations that are adopted under § 8–205 of this title and that concern additional acts in the practice of registered nursing.

(b) “Authorized prescriber” means any licensed dentist, licensed dental hygienist with prescriptive authority under § 4–206.4 of this article, licensed physician, licensed podiatrist, licensed veterinarian, advanced practice registered nurse with prescriptive authority under § 8–508 or § 8–514 of this article, or other individual authorized by law to prescribe prescription or nonprescription drugs or devices.

(c) (2) This title does not prohibit:
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(iv) A licensed physician who complies with the requirements of item (ii) of this paragraph from personally preparing and dispensing a prescription written by:

2. [A nurse practitioner who is authorized to practice under Title 8, Subtitle 3] AN ADVANCED PRACTICE REGISTERED NURSE WITH PRESCRIPTIVE AUTHORITY UNDER § 8–508 OR § 8–514 of this article and is working with the physician in the same office setting; or

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.