

HOUSE BILL 759

J2, C4

4lr3290
CF 4lr2403

By: **Delegate Alston**

Introduced and read first time: January 31, 2024

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Advanced Practice Registered Nurses – Professional Liability Insurance**
3 **Coverage – Notification Requirements**

4 FOR the purpose of requiring advanced practice registered nurses practicing as an
5 advanced practice registered nurse in the State to notify patients in writing of certain
6 information relating to professional liability insurance coverage; requiring that the
7 notification be provided at certain visits and as part of certain informed consents,
8 signed by a patient at certain times, and retained as part of the advanced practice
9 registered nurse's patient records; requiring each advanced practice registered nurse
10 practicing as an advanced practice registered nurse in the State who does not
11 maintain professional liability insurance coverage to post the information in a
12 certain location at the advanced practice registered nurse's place of practice; and
13 generally relating to advanced practice registered nurses and professional liability
14 coverage.

15 BY adding to
16 Article – Health Occupations
17 Section 8–515
18 Annotated Code of Maryland
19 (2021 Replacement Volume and 2023 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 **Article – Health Occupations**

23 **8–515.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(A) EACH ADVANCED PRACTICE REGISTERED NURSE PRACTICING AS AN ADVANCED PRACTICE REGISTERED NURSE IN THE STATE SHALL NOTIFY A PATIENT IN WRITING IF:

(1) THE ADVANCED PRACTICE REGISTERED NURSE DOES NOT MAINTAIN PROFESSIONAL LIABILITY INSURANCE COVERAGE; OR

(2) THE ADVANCED PRACTICE REGISTERED NURSE'S PROFESSIONAL LIABILITY INSURANCE COVERAGE HAS LAPSED FOR ANY PERIOD OF TIME AND HAS NOT BEEN RENEWED.

(B) THE WRITTEN NOTIFICATION PROVIDED TO THE PATIENT UNDER SUBSECTION (A) OF THIS SECTION SHALL BE:

(1) PROVIDED:

(I) AT THE FIRST VISIT BY THE PATIENT DURING ANY PERIOD IN WHICH THE ADVANCED PRACTICE REGISTERED NURSE DOES NOT MAINTAIN PROFESSIONAL LIABILITY INSURANCE, UNLESS THE VISIT IS FOR THE PURPOSE OF RECEIVING INCIDENTAL MEDICAL CARE THAT WILL BE RENDERED FREE OF CHARGE; AND

(II) AS PART OF EACH INFORMED CONSENT OBTAINED BEFORE ANY PROCEDURE OR OPERATION DISCUSSED OR OFFERED FOR THE PATIENT'S CONSIDERATION IS PERFORMED;

(2) SIGNED BY THE PATIENT AT THE TIME OF THE PATIENT'S VISIT OR AT THE TIME THE INFORMED CONSENT IS SIGNED; AND

(3) RETAINED BY THE ADVANCED PRACTICE REGISTERED NURSE AS PART OF THE ADVANCED PRACTICE REGISTERED NURSE'S PATIENT RECORDS.

(C) EACH ADVANCED PRACTICE REGISTERED NURSE PRACTICING AS AN ADVANCED PRACTICE REGISTERED NURSE IN THE STATE WHO DOES NOT MAINTAIN PROFESSIONAL LIABILITY INSURANCE COVERAGE SHALL POST THIS INFORMATION IN A CONSPICUOUS LOCATION IN THE ADVANCED PRACTICE REGISTERED NURSE'S PLACE OF PRACTICE.

SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Nursing shall develop appropriate language for the notification required under § 8–515 of the Health Occupations Article as enacted by Section 1 of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.