



Board of Nursing

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P. H., Secretary

OPEN SESSION MINUTES January 24, 2024, BOARD MEETING

Held at the Maryland Board of Nursing,
4140 Patterson Avenue, Baltimore, MD 21215,
and VIA Conference Call

Attendance

NAME	TITLE	PRESENT	ABSENT
Board Members			
Gary Hicks, RN	RN Member (Clinician), Board President	X	
M. Dawne Hayward, RN, CM/DN, CDDN	RN, Delegating Nurse Member	X	
Jacqueline Hill, PhD, RN, CNE	RN, BSN Educator Member	X	
Irene Molina, DrPH, MSN, RN, CCRN-K, CPH	RN, Associate Degree Educator Member	X	
Robin Hill, DNP, RN	RN, Practical Nurse Educator Member	X	
Christine Lechliter, BSN, MBA, NE-BC	RN, Nurse Administrator Member	X	
Dawn Pfluger, BSN, RN, CPN, CRRN, CWOCN	Acute Care Nurse Member	X	
Rachel Sherman, DNP, CRNP, FNP-BC, ACHPN	Advanced Practice Member	X	
Ameera Chakravarthy, PhD, RN, ACNP-BC, CNE	Advanced Practice Member	X	
Iskra Gillis, MSN, RN, NEA-BC	Licensed Nurse Member	X	
VACANT	LPN Member		X

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Tyler Adamson, MPH	Consumer Member	X	
VACANT	Consumer Member		X
Board Counsel			
Michael Conti	Assistant Attorney General	X	
Carla Boyd	Assistant Attorney General	X	
Katherine Cummings	Assistant Attorney General		X
Board Staff			
Rhonda Scott	Executive Director	X	
Camille Forbes-Scott	Deputy Director	X	
Nikki Brown	Executive Assistant	X	
Lakia Jackson	Paralegal to Board Counsel	X	
Amber Bernal	Manager, Discipline & Compliance Programs Enforcement Division	X	
Michelle Powell	Enforcement Paralegal	X	
Mitzi Fishman	Director of Licensure	X	
Jennay Ghowrwal	Health Policy Analyst	X	
Carolyn Bailey	Manager, Renewals	X	
Monica Mentzer	Manager of Practice	X	
Shelia Green	Education Consultant	X	

Call to Order: Mr. Gary Hicks, RN, Board Chair, called the Open Session meeting to Order at 9:09 a.m.

A motion was made to commence Open Session.

Motion: Lechliter
 Second: R. Hill
 Motion Passed unanimously.

Board of Nursing Updates: Rhonda Scott, Executive Director:

- Welcome to new Board members. Board member vacancies were discussed.
- Board anticipates new hires including nurse investigator and fiscal manager.
- Dr. Forbes-Scott explained the consent agenda related to CNA courses.

A motion was made to table the addition of CNA courses to the consent agenda.

Motion: Lechliter
 Second: J. Hill

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Motion Passed unanimously.

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None.

Consent Agenda:

A motion was made to approve all items on the Consent Agenda.

Motion: Lechliter
Second: J. Hill
Motion Passed unanimously.

Education:

Tabled.

Legislative Affairs:

HB 355/SB 62 Health Occupations – Licensed Direct-Entry Midwives – Previous Cesarean 2 Section. Motion to oppose the Bill.

Motion: Steinberg
Second: Hayward
Motion Passed unanimously.

HB 354 Maryland Pathway to Nursing Program and Advisory Committee – Establishment. Motion to take no position on the Bill.

Motion: Hayward
Second: Steinberg
Motion Passed unanimously.

Direct-Entry Midwifery Advisory Committee:

The following Applications for Renewal of License to Practice Direct-Entry Midwifery were presented to the Board, with a recommendation for approval by the Direct-Entry Midwifery Advisory Committee.

1. Karen A. Milgate, LDEM (DEM00042)

A motion was made to approve the initial application of Karen A. Milgate.

Motion: Steinberg
Second: Lechliter

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Motion Passed unanimously.

2. Diane Sellers, LDEM (DEM00003).

A motion was made to approve the reinstatement application of Dianne Sellers, LDEM (DEM00003).

Motion: R. Hill

Second: Lechliter

Motion Passed unanimously.

Electrology Practice Advisory Committee:

The following Application for Renewal of License to Electrology was presented to the Board, with a recommendation for approval by the Electrology Practice Advisory Committee.

A motion was made to approve the reinstatement application of Marta Petersen, LE (E01349).

Motion: Steinberg

Second: Hayward

Motion Passed unanimously.

Quarterly Reports:

A. Discipline and Compliance Programs (Probation and Discipline)

B. Safe Practice Committee

C. Licensure

D. Direct Entry Midwifery Advisory Committee

E. Electrology Practice Advisory Committee

F. Investigations Status Report

G. Background Review

Other Public Business:

Delegated Authority to Continue Case Triage.

A motion was made to delegate to Board staff the authority to triage cases to “take no action” status and once triaged, the take no action cases would be approved and ratified by the Board.

Motion: R. Hill

Second: Lechliter

Motion Passed unanimously.

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A motion was made to delegate the authority to the Investigations Unit, under the supervision of the Executive Director, to close cold cases dated 2019 and older.

Motion: J. Hill
Second: Lechliter
Motion Passed unanimously.

Adjournment of Open Session and Entry into Closed Session:

President Gary Hicks orally presented the written statement required by the Open Meetings Act to close an open session. **The written statement is attached.**

A motion was made to adjourn the open session and enter closed session, in accordance with the legal authority, and for the reasons, cited in the written statement.

Motion: Lechliter
Second: Hayward
Motion Passed unanimously.

The Open meeting adjourned at 10:04 a.m., and a brief recess was held.

December 13, 2023, Closed Session Summary

Closed Session was held from 10:14 a.m. until 4:12 p.m. at 4140 Patterson Avenue, Baltimore MD 21215. The same Board members present for the open session were present for the closed session (unless recused from a particular matter). The authority for the closed session was Md. Code Ann., Gen. Prov. § 3-305(b)(13) in order to discuss confidential matters involving applicants for licensure/certification that are prohibited from public disclosure pursuant to Md. Code Ann., Health Occ. § 8-303(f), Health Occ. §§ 1-401 *et seq.*, and Gen. Prov. § 4-333. The topics actually discussed were confidential matters involving applicants for licensure/certification.

During the closed session, the Board voted to take the following actions regarding confidential matters involving applicants:

- License one (1) Registered Nurse applicant with a Public Advisory Letter after review of criminal history;
- License five (5) Registered Nurse applicants after review of criminal history;
- License two (2) Licensed Practical Nurse applicants after review of criminal history;
- Certify two (2) Certified Nursing Assistant applicants after review of criminal history;
- Certify two (2) Certified Nursing Assistant applicants with a Public Advisory Letter after review of criminal history;
- Certify five (5) Certified Medication Technician applicants after review of criminal history;
- Take no action on complaints involving three (3) Certified Medication Technician applicants.

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(During the closed session, the Board also performed quasi-judicial and administrative functions that are not subject to the Open Meetings Act and are therefore not summarized above.)

Script for Closing Open Session

In a moment, I am going to ask if there is a motion to close the open session, but first I am going to walk us through the written statement that is required by the Open Meetings Act to ensure that all Board members agree with its contents.

As documented in the written statement, the statutory authority to close this open session and meet in closed session is General Provisions § 3-305(b)(13), which gives the Board the authority to close an open session "to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular matter or proceeding." The topics to be discussed during closed session are applications for licensure and/or certification, including evaluation of criminal history record information, reviewing investigative reports and recommendations for disciplinary charges, and other disciplinary matters. The reason for discussing these topics in closed session is to discuss confidential matters that are prohibited from public disclosure by the Annotated Code of Maryland, Health Occupations Article § 8-303(f), Health Occupations Article § 8-320(a), Health Occupations Article § 1-401 *et seq.*, and General Provisions Article § 4-333. In addition, the Board may also perform quasi-judicial and administrative functions involving disciplinary matters during the closed session.

Is there a motion to close this open session pursuant to the statutory authority and reasons cited in the written statement or any discussion thereof?

MARYLAND STATE BOARD OF NURSING

Presiding Officer's Written Statement for Closing a Meeting
under the Open Meetings Act (Md. Code Ann., Gen. Prov. § 3-305)

1. **Recorded vote to close the meeting:** Date: 1/24/24 Time: 10:04 am
Location: **Maryland Board of Nursing, 4140 Patterson Avenue, Baltimore, MD**
Motion to close meeting made by: Lechliter Seconded by Hayward
Members in favor: Gillis, Steinberg, Molina, Pfluger, Hayward, Sherman, Hicks, J. Hill,
Opposed: None Abstaining: None
Absent: None

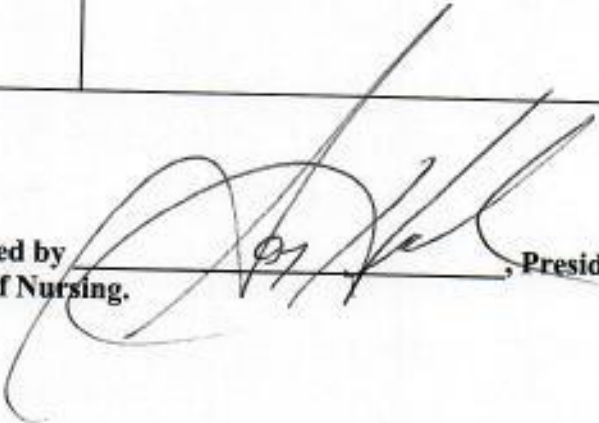
Adams,
Lechliter,
R. Hill,
Chakraborty

2. **Statutory authority to close session.** This meeting will be closed under Md. Code Ann., Gen. Prov. § 3-305(b) only:

(1)___ "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2)___ "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3)___ "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4)___ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5)___ "To consider the investment of public funds"; (6)___ "To consider the marketing of public securities"; (7)___ "To consult with counsel to obtain legal advice"; (8)___ "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9)___ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10)___ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11)___ "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; (12)___ "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; (13) X "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; (14)___ "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process." (15)___ "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

3. For each provision checked above, disclosure of the topic to be discussed and the Maryland State Board of Nursing's reason for discussing that topic in closed session.

Citation	Topic	Reason for closed-session discussion of topic
§ 3-305(b) (13)	Applications for licensure and/or certification	To discuss confidential matters prohibited from public disclosure by Md. Code Ann., Health Occ. sections 8-303(f), 8-320(a), 1-401 <i>et seq.</i> and General Provisions section 4-333, including the evaluation of criminal history record information, reviewing investigative reports and recommendations for disciplinary charges, and related disciplinary matters.
§ 3-305(b) ()		
§ 3-305(b) ()		

4. This statement is made or adopted by  , Presiding Officer, Maryland State Board of Nursing.

