

MARYLAND BOARD OF NURSING DISTANCE LEARNING COMMITTEE
FINAL REPORT AND RECOMMENDATIONS
September 15, 2009

On April 28, 2009, the Maryland Board of Nursing (MBON) unanimously voted to establish a committee to study how it can safely license graduates of distance learning programs. The Distance Learning Committee was appointed because a bill (Senate Bill 205) introduced in the 2009 Maryland General Assembly legislative session, and supported by the Department of Health and Mental Hygiene (DHMH), met with considerable opposition in the House of Delegates after passing the Senate with one dissenting vote. The Bill was withdrawn in committee. The Chairman of the House Government Operations Committee and the Secretary of DHMH suggested that, because of the importance of the issue, further study was necessary. The committee met on May 18, June 18, July 18, and September 15, 2009, to study the issue of licensing graduates of distance learning programs. Members of the committee were representative stakeholders and included faculty members from two and four year pre-licensure programs; faculty from a distance learning pre-licensure program; Registered and Practical Nurses; the Maryland Hospital Association; the Maryland Nurses Association; the Director of Government Affairs for DHMH; and Board Staff for Education and Regulation.

This report includes the recommendations of the MBON Distance Learning Committee for licensure by examination and licensure by endorsement of applicants educated by distance learning nursing schools whose programs do not meet the Maryland requirements for clinical learning experiences as described in Code of Maryland Regulations (COMAR) Title 10, Subtitle 27.

The Committee reaffirmed the importance of clinical learning requirements for students in nursing programs and agreed that pre-licensure clinical learning experiences are critical to development of the essential nursing competencies that ensure patient safety and quality of care. The following recommendations were adopted by the majority of the committee:

1. Clinical learning experience is a prerequisite for licensure by examination;

2. A student of a nursing school whose program does not meet Maryland’s clinical learning requirements for approved nursing education programs must complete a clinical learning experience approved by the Board that complies with COMAR 10.27.03 prior to admission for the licensure examination; and

3. Arranging a clinical learning experience is the responsibility of the student and the school.

A request was made by a Committee member to reconsider the definition of “substantially equivalent”, as defined in COMAR 10.27.01.01 (C) The Committee decided the matter was beyond its scope and not appropriate for consideration at this time. It was agreed that a handout proffered to re-define “substantially equivalent” will be submitted to the Education Committee and the Board for separate consideration at a future date and that the document would not be included as an attachment to this report.

The Committee also proposed a recommendation, along with rationale, for allowing licensure by endorsement for nurses who graduated from a distance learning program that did not include pre-licensure clinical learning experiences required for licensure by examination. The Committee approved regulatory language amending COMAR 10.27.01.09 A(3)(b) as follows:

That the educational qualifications of this State at that time were met; or, if not met:

i. The applicant shall provide evidence of at least 1,000 hours of active nursing practice in the preceding 12 month period;

ii. In a state or territory of the United States; and

iii. In a job requiring the license for which the applicant is applying;

Rationale: This regulation applies to the applicant who does not meet the clinical educational requirements that all other nurses licensed by endorsement in Maryland are required to meet.

A request was also made to note that there were two dissenting votes to this proposed regulatory amendment. The dissent voiced was that:

1. A graduate of a nationally accredited distance learning program should not have any additional requirement for licensure in Maryland;
2. These graduates are currently allowed to work in Maryland if they have a license from another compact state; and
3. Requiring a thousand hours of active nursing practice in the immediate twelve months prior to applying for licensure by endorsement is discriminatory because, currently Maryland requires 1,000 hours of active nursing in the prior **five** years for all other endorsement and renewal applicants (COMAR 10.27.01.09).

Staff will ask for an informal opinion from the Attorney General to evaluate if requiring 1,000 hours of active nursing practice in the 12 months prior to applying for endorsement is discriminatory.

Members of the Distance Learning Committee:

Mary Bolt, EdD, RN, **Committee Chair**
Maryland Board of Nursing, Board member

Pamela Ambush-Burris, RN, MS
Director of Education, Maryland Board of Nursing

Kathleen Alascia, LPN
Representative LPN Nurse Practice

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Public Participants at various times:

Jillian Aldebron, JD, University of MD, School of Nursing
Jeanne DeCosmo, Maryland Hospital Association
Robyn Elliott, Maryland Advocacy, lobbyist for MNA
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Patricia Medley
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