

**Health Professional Boards and Commissions**  
**Fiscal Year 2025 Operating Budget**  
**Response to Department of Legislative Services Analysis**

**House Appropriations Committee**  
**Health and Social Services Subcommittee**  
**Delegate Emily Shetty**  
**February 8, 2024**

**Senate Budget and Taxation Committee**  
**Health and Human Services Subcommittee**  
**Senator Cory McCray**  
**February 9, 2024**

The Department thanks the Governor, the Department of Budget and Management (DBM), and the Budget Committees for their support. We thank the Department of Legislative Services for its insightful budget analysis.

**The boards should comment on steps that it is taking to reduce vacancies and how these vacancies are impacting board operations. The board should also discuss how savings from vacant positions will be spent in fiscal 2024. (p. 8).**

See below for responses from the boards included in Exhibit 4 of the DLS analysis.

Maryland Board of Nursing

Since April 2023, when legislation took effect to place the Board's infrastructure, including leadership and HR functions, directly under MDH, its state merit vacancy rate has fallen from 21.1% to 14.1%. During this period the board also increased the number of special payroll payment employees from 12 to 19, a net increase of seven. The board is working now to fill 10 new contractual positions, all non-nurse investigators, to help resolve the case backlog. Four of those positions have February start dates and the Board is actively working to fill the rest.

DLS notes that as of 12/31/23, the Board had eight vacant state merit positions. A vacant Nurse Program Consultant position was filled on 1/10/24. Another vacancy involves an Office of the Attorney General (OAG) position whose recruitment is handled outside the Department. Below is an update on efforts to fill the remaining six vacant positions noted by DLS.

- Admin Specialist II (Exams and Education Specialist): Interviews are scheduled for this week. This position processes national licensing examination applications. That work is being covered by an existing employee.

- Admin Specialist III (Complaints Coordinator Lead): A candidate has been selected, with a 2/21/24 start date. This position helps process incoming complaints. That work is currently being covered by two existing employees.
- Administrator II (Administrative Services Manager): A candidate has been selected, with a 3/6/24 start date. This work is being covered by the Director of IT and a fiscal assistant until the position is filled.
- Health Occupations Investigator (BoN Investigator): This position is being reclassified to Discipline and Compliance Coordinator, and will then be filled. The reclassified position's duties involve the "back end" of investigations, e.g., scheduling hearings and case resolution conferences, and tracking disciplinary actions.
- IT Systems Technical Specialist (Program Manager): A first round of recruitment did not yield a candidate of interest; and the position will be reposted. This position assists the Database Administrator with maintaining systems software and providing everyday technical support.
- Program Manager Senior I: This position is being reclassified to Nursing Program Consultant, and will then be filled by employee transfer.

Any state merit vacancy savings will be used to support new special payments payrolls positions.

#### State Board of Physicians

The Board works diligently to fill each vacancy as soon as possible and makes adjustments, as needed, to minimize any potential effect on operations.

#### State Board of Social Work Examiners

As of February 5, 2024, the Board had not provided a response.

#### State Board of Dental Examiners

The Board expects the new executive director to start on February 21, 2024. The executive director will then begin recruitment for the two vacant merit positions.

#### State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists, and Music Therapists

The Board has worked diligently to fill its vacancies. The Board usually has a staff of four, including the Executive Director. When the new Executive Director started in November of 2023, the only staff person was an office secretary which had a severe impact on licensing operations. As of this date, all vacancies have been filled. The most recent hire will begin on February 21, 2024. This will be the first time the board is fully staffed in a year. The board is in the process of training the new staff members and is hopeful that board operations will continue to recover and provide the best service possible to the citizens of our State.

### State Board of Pharmacy

The Board of Pharmacy currently has three merit position vacancies. Two of the positions are in recruitment and one is in the process of reclassification.

### State Board of Morticians and Funeral Directors

The Board has recently hired an executive director and is actively recruiting to fill the vacant merit position.

### State Board of Professional Counselors and Therapists

As of 12/31/2023, the Board had no vacant merit positions. However, there are currently four (4) vacant contractual positions. The Board is attempting to reduce vacancies by engaging in consistent efforts to recruit and retain staff. Staff shortages have a significant impact on all aspects of the Board's operations.

### State Board of Physical Therapy Examiners

The Admin Officer II vacancy came about after a request for a position reclass study and the position reclass did not happen. The Board of Physical Therapy Examiners then submitted and received confirmation and approval of our request to recruit an Admin Officer II from DBM on 12/26/2023. The job announcement was posted on 1/8/2024 with a filing deadline of 2/5/2024.

Before submitting the request to recruit the Board's organizational structure was reviewed. The staff members met to discuss the importance of finding the most suitable candidate for the position and the job description (MS-22) was reviewed and revised.

While vacant the job duties and responsibilities are being shared by 3 staff members. The Executive Director and Deputy Director are absorbing job duties as needed so the staff team can continue to achieve effective and efficient operations related to their job duties and the additional shared job duties.

The Board has experienced during candidate interviews for past vacancies that candidates bring up the topics of competitive salaries (referencing other state departments, and other public and private sectors), the importance of offering telework, and what the organizational staff culture is.

Understaffing can easily lead to bigger and more cyclical problems impacting Board culture. If good talent leaves and is not replaced by the most suitable candidate promptly, the remaining team members are left to pick up the work. As a result, staff burnout, feeling undervalued, and turnover can occur.

### State Board of Long-Term Care Administrators

The Board is currently working with OHR on reclassing the Administrator I (PIN 084755T) to have the merit PIN studied as well as having the Administrative Specialist III class confirmed to ensure that the current licensing assistant, who is a contractual employee, meets the qualifications for the requested class before changing their contractual classification. Additionally, to the best of my knowledge, Board operations have not been impacted as a result of the Administrator I vacancy.

The Administrator I position was approved for the FY25 budget and the recruitment for a Deputy Director or Licensing Manager will begin in May or June and those duties will include planning activities and tasks related to the implementation of the assisted living manager licensure requirement.

### State Board of Chiropractic Examiners and Board of Massage Therapy Examiners

The Chiropractic and Massage Therapy Boards are actively interviewing candidates for the one vacant merit position, Licensing Unit Manager. The Executive Director has been working extended hours each day and on weekends since November 7, 2023, to perform many of the duties and responsibilities of the Licensing Unit Manager, thereby minimizing the impact on both boards' operations

**The boards should discuss the anticipated impact of the new performance goal on the boards' timely investigation of complaints (p. 10).**

The Board of Nursing licenses and certifies over half of health occupations in the state. This update to their MFR goal aligns performance goals to be consistent with the Board of Physicians. The Board of Nursing has taken several steps to address timeliness of investigations, as discussed in the Board's response to the independent evaluator's review as required by HB 611 of 2023.

For the remaining health occupation boards, the goal of the MFRs is to depict the completeness of specific administrative actions. Completeness includes both administrative effectiveness and efficiency of the disciplinary standard operating procedures. With the revised MFR Objective 2.1, the health occupations boards will be able to demonstrate the annual improvement of investigations completed when benchmarked at a 90% completion rate vs. 100% completion rate. Investigation complexity has increased nationally due to a rise in sexual misconduct complaints therefore, a realistic benchmark of 270 days vs. 180 days enables investigators to be thorough in the completion of their investigations and fulfill the mission to protect the public. The anticipated impact of the new Objective 2.1 is the ability to demonstrate annual achievement and demonstrate improvement.

**The Board of Audiologists, the Board of Pharmacy, and the Board of Professional Counselors and Therapists should comment on efforts being made to meet all three of their MFR goals. The Board of Dental Examiners, the Board of Pharmacy, and the Board of Professional Counselors and Therapists should discuss reasons for missing the complaint investigation goal for the past five fiscal years, including what efforts are being made to ensure timely complaint investigations are taking place (p. 15).**

State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists, and Music Therapists

In response to the missed complaint goals for FY23. The Board of AHSM has been severely impacted by multiple staff shortages/vacancies. Due to unforeseen circumstances, the Board has not been fully staffed, in close to a year. The lack of staff and a steadily increasing workload, were the key contributors in the Board missing their goals.

The Board is making every effort to meet the goals for FY24. As of January 31, 2024, the Board will be staffed at 80%. By February 21, 2024, we expect to be staffed at 100%. Once the Board is staffed at full capacity, we will have a significantly greater opportunity to fulfill our goals.

State Board of Pharmacy

The Board of Pharmacy has seen a significant increase in complaints received during and following the pandemic, due to increased traffic in pharmacies that have resulted in an increase in services offered in pharmacies (COVID counseling and testing and COVID vaccine administration). During this time period the board also had a resignation from the supervisor responsible for processing the complaints and a high rate of turnover in the investigation unit. After experiencing a lengthy period of time hiring a replacement the board was able to secure a new investigator supervisor. The board currently has lowered its rate of turnover and has improved the rate of case assignment and processing. The board has also significantly reduced the number of complaints exceeding the case investigation benchmark to less than 10 cases.

State Board of Professional Counselors and Therapists

In FY23, the Board experienced unanticipated staff shortages and employee turnover. For 9 months of FY23, all investigations were handled by the Compliance Manager as the Board had no investigators. Attempts to recruit and retain investigators with the requisite skill and experience were unsuccessful.

The Board recently hired two investigators and two licensing coordinators. The Board is currently in the process of recruiting for the following positions: Executive Director, Compliance Assistant, Investigator and Administrative Specialist.

### State Board of Dental Examiners

Please see the Board's letter dated July 1, 2023, to the budget committees regarding the Joint Chairmen's Report (p. 102) - Report Addressing Failure to Attain Performance Goals.

**Considering that none of the required reports on the boards' MFR performance were submitted, and that various boards continue to fail to meet their MFR goals in fiscal 2023, DLS recommends adding language restricting funds until MDH submits a report providing the backlog of cases to be investigated by each board, plans to remedy the low completion percentage of the complaint investigation goal, and a timeline for performance improvement for the Board of Dental Examiners, the Board of Pharmacy, and the Board of Professional Counselors and Therapists (p. 15).**

We anticipate the submission of the required reports this month.

**MDH should comment on the details of its plan and timeline to implement the [Board of Nursing] action plan developed (p. 18).**

Since the passage of CH 222/223 of 2023, the Department has been working closely with the Board of Nursing to improve infrastructure and operations at the Board. This emergency legislation took effect in April 2023, and the independent evaluator outlined findings in three key areas. An update on the immediate action plan in these three areas is as follows:

- **Personnel-related:** Several key areas regarding recruitment, organization structure, and employee engagement were identified by the independent consultant. Regarding recruitment, the Board has prioritized the hiring of non-nurse investigators. The Board has allocated 10 non-nurse investigator positions to assist with clearing the backlog. The board is working now to fill 10 new contractual positions, all non-nurse investigators, to help resolve the case backlog. Four of those positions have February start dates and the Board is actively working to fill the rest. A permanent Executive Director was also named in fall 2023. As it relates to organization structure, the Department has assigned IT staff to support the board to identify current and future IT needs. Finally, employee engagement is key to helping staff know where they stand and align themselves with the mission of the organization and leadership has made internal communication a priority. MDH has also been regularly hosting town halls for all employees, including the Boards and Commissions. The board's new Executive Director has been hosting more frequent staff meetings to ensure employee input.
- **Technology-related:** The independent evaluator identified next steps related to licensing, telephone systems, as well as security. Effective June 30th, the Board was reconnected to the Department network for the first time since the 2021 network security incident. Through a Major IT Development Project (MITDP) Board and Department IT staff have

been meeting to scope the requirements for a new licensure system. It is anticipated that this new licensing system will be in place in the next calendar year. The independent evaluator also noted that phone hardware and software were insufficient to meet the demands of constituents; these have been upgraded in line with MDH standards. The Board went from 64 phone lines to 110. Finally, with the assistance of the Department, the MyLo portal has been migrated to a secure IP address.

- **Process-related:** Key areas identified by the independent consultant in this area include licensure, investigation, and education. As the Board works to procure a new licensure system, it will seek to automate reporting. Moreover, the Department, in conjunction with the Board has undertaken an analysis to examine fees paid in peer states, and will be increasing fees in summer 2024. As it relates to investigations, the Board has re-examined assignment process of investigations, and assigned no action to all Priority 3 cases, as was recommended. This was effectuated at the Board's December 2023 Board meeting. Finally, as it relates to education, the Board has been compiling the requirements for interstate licensure requirements so that the application process for nurses from non-MD schools can be accepted more effectively.

A full update on the status of these actions is outlined in the attached slide deck.

**To align the accounting of Board of Nursing infrastructure operations with the fiscal 2024 working appropriation, DLS recommends striking the fiscal 2025 language that allows the Board of Nursing to receive reimbursement for services provided for the Office of the Secretary. The Board of Nursing should also comment on how the infrastructure operations are being conducted, including:**

- **reasons for reduced funding levels of \$5.3 million in the fiscal 2024 working appropriation and \$4.3 million in the fiscal 2025 allowance for Board of Nursing infrastructure operations within the Office of the Secretary;**
- **the status and estimated timeline of working with DBM to make the technical correction reducing reimbursable funds from \$8.0 million to \$4.3 million within the Board of Nursing;**
- **reasons for the Board of Nursing receiving reimbursable funds for infrastructure operations in fiscal 2025 only; and**
- **details on the implementation of the transfer of Board of Nursing infrastructure operations to the Office of the Secretary.**

The Department respectfully disagrees with the DLS recommendation to strike budget bill language authorizing Reimbursable Fund support of Board of Nursing infrastructure items from General Funds budgeted within MDH Office of the Secretary in the FY 2025 Governor's Allowance.

Per Section 7-209 (e), State Finance & Procurement Article, Annotated Code of Maryland, the Department retains the right to enter into reimbursable fund arrangements with units of Maryland government as needed. Given HB 611 language which stipulates that the MDH Secretary “has authority over the infrastructure operations of the State Board of Nursing,” the Department of Budget and Management intentionally placed the related General Funds within the MDH Office of the Secretary. In light of the Department’s statutory responsibility for this funding, and for the Board’s infrastructure operations, the General Funds were kept in the MDH Office of the Secretary budget rather than realigned to the Board. There were two accounting options from there:

1. Realign eligible infrastructure expenditures off of the Board’s books and onto the Department’s: or
2. Represent eligible infrastructure expenditures on the Board’s books using reimbursable funds. Because the vast majority of infrastructure items are existing rather than new, and will be ongoing, the Department opted for the reimbursable fund option, to fully and transparently represent these items on the Board’s side.

FY 2024 funding for infrastructure support is reduced from \$8 million to \$5.3 million in the FY 2025 Budget Bill to more accurately reflect the total of anticipated eligible expenditures. Bill language specifically precludes reimbursement for licensing and investigation activities, which prevents the Department from reimbursing the full \$8 million. The Department worked with its lead Attorney General, the Board’s leadership, and the Board’s Attorney General to jointly interpret the bill language governing eligible expenditures. Expenditures are reviewed by the Department to ensure that only eligible items are supported by the underlying general funds. The FY 2025 Allowance funds infrastructure items at \$4.3 million in order to provide additional runway space for the new licensure fee system to be developed and implemented. This additional period of reimbursement is not expected to last the full fiscal year, but it will enable the Board to generate a needed fund balance.

Last year, the Department worked with DBM to process Budget Amendment #23R-075, which established a reimbursable fund relationship between the Department and the Board of Nursing to enable General Fund reimbursement of eligible infrastructure expenditures. After session closes, the Department will work with DBM to process an FY 2024 reimbursable funds budget amendment in the amount of \$5.3 million to account for this year’s eligible expenditures. As noted by DLS, the FY 2025 Governor’s Allowance should be updated to reflect \$4.3 million of reimbursable funds in the Board of Nursing, not \$8.0 million; the Department has alerted DBM about the need for this technical correction.





# Board of Nursing Update

## Update for Health and Government Operations Committee: Implementation of HB 611

Laura Herrera Scott, MD, MPH, Secretary of Health  
Erin McMullen, RN, MPP, MSN, Chief of Staff, Maryland Department of Health  
Rhonda Scott, JD, BSN, CRNI, SD-CLTC, Executive Director, Maryland Board of Nursing

January 16, 2024

# Summary Overview

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Since the signing of *HB0611- State Board of Nursing – Sunset Extension, Licensure Exceptions, and Board Operations and Membership*, significant progress has been made in in several primary areas identified by 2 independent evaluations:

- Constituent Services & Communications
- Technology & Application Processing
- Fiscal Responsibility
- Complaint Response and Investigation
- Staffing

Implementation of HB 611 is well underway, the completion of the independent consultant evaluation has provided direction for next steps.

# MDH Independent Evaluation

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- On May 10, 2023, MDH released an RFP for an independent evaluator to assess MBoN in accordance with HB 611
- MDH posted a competitive, emergency procurement, for the independent evaluation and received one bid
- Ernst & Young (E&Y), a global consulting firm, was awarded the contract based on their proposal, which included examples of prior experience working with health occupation entities and administrative workflow improvement
- **This report details areas of opportunity and provides suggested short and long term actions**
  - Internal and external meetings with stakeholders have yielded a plan of action to address noted areas of opportunity across the MBoN spectrum which has allowed for flexible and rapid progress in reforming the Board's responsiveness and functionality.
- This report was delivered to the General Assembly on 9/1 alongside a cover letter from MDH Secretary Herrera Scott discussing initial progress

# OPEGA Independent Evaluation

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- In January 2023, the Executive Director of DLS directed OPEGA to conduct a performance evaluation of MBON.
- OPEGA conducted a stakeholder analysis that led to a focus on the efficiency and effectiveness of (1) the licensing process, including the renewal of licenses; (2) the complaint investigation process; and (3) the general management of the office.
- Their final report, published in December 2023, examined the operations of MBoN with a focus on the service received from the population and the efficiency with which these services were provided, and included associated recommendations.
- Additionally, OPEGA solicited direct feedback from customers of MBoN which provides an insightful look into the reactions of the public to MBoN.

# Constituent Services & Communications

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# Prior Feedback on MBON

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*“The website is extremely frustrating to navigate. It’s full of non-relevant information and the important links are difficult to find. I don’t understand how some of the functions are not supported by common browsers.” – Google Review (March 2023)*

*“I started my renewal process over a month ago to just get a new paper application in the mail this week requiring a duplicate payment. The worst part is my license expires next Friday. They smiled in my face and told me 21 business days and better luck next time. So I am out \$280 and may be laid off after Friday for not having a license.” – Google Review (July 2022)*

*“What you don’t see is the people who don’t show up because they don’t want to go through the process and fail, or they show up on a day that the doors are locked for lunch and that’s the only time that they can go there... We’ve got the capacity to do all of these pretty bold things as it relates to recruitment, but if they can’t go down to the Board of Nursing and get certified, we’re sort of spinning our wheels.” – Professional Association Representative*

*“The man who handled my request said that they discovered an IT issue that had caused my application to be lost. He said they would work on resolving it and that I should call back Monday to verify that the issue had been resolved.” – Google Review (January 2020)*

*“They informed me that they have no paperwork from me. They asked me if I took photos of my paperwork as proof that I completed it.” – Reddit Post (2022)*

*“It’s common for phone calls to not be answered. I spoke with one of our members... She waited on hold five hours on two separate occasions to speak with someone. And when calls are answered, applicants are not always given correct information. Another nurse that I spoke with was told that they had to come in person to submit something and then when they got there in person and waited in long lines and got to the front, they were told no. You can only do this online, so they had wasted an entire day.” – Professional Association Representative*

*“I lost my dream job because of this board of nursing. I waited for WEEKS to MONTHS calling and emailing every day. After demanding to speak to someone... they informed me that my addresses didn’t match up.” – Google Review (January 2022)*

# Constituent Services: Resolving the Backlog of Cases

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- MDH Office of Constituent Services works with MBoN and other health occupations boards to track open constituent cases. Metrics are tracked on a weekly basis and cases are considered overdue after seven business days.
- MBoN has made significant progress reducing the backlog of overdue cases

	<b>Total Number of Open Constituent Cases</b>	<b>Total Number of Overdue Cases</b>	<b>Oldest Overdue Case</b>
February 17, 2023	24	24	177 days
April 28, 2023	12	10	185 days
September 8, 2023	6	1	9 days
December 28, 2023	0	0	-

# Consultant Recommendations: Constituent Services & Communications

EY Recommendation	OPEGA Recommendation	Next Steps
Investigate and repair the current phone system (i.e., IVR routing) to address the failed calls.	MBoN should staff at a level that ensures phone calls are answered.	MBoN's phone hardware and software were insufficient to meet the demands of constituents, these have been upgraded in line with MDH standards. The Board went from <u>64 phone lines to 110</u> . Hiring and capacity for future hiring as noted in Complaint Response/Investigation increases responsiveness to constituent needs.
Create and implement a communications plan.	-	MBoN is working with the MDH Communications Office to address immediate communications needs, including assistance with updating their website.
Begin standup of an Office of Performance Improvement with detailed governance, responsibilities, and resourcing.	-	MBoN hired a Performance Improvement Manager to begin developing strategies to establish the department. Will develop SOPs and position descriptions for team members.
Define roles and responsibilities of a Communications specialist; begin recruitment process.	-	MBoN is in the process of drafting this position description to define roles and responsibilities. MBoN works collaboratively with the MDH Communications department to respond to media inquiries.



# Technology & Application Processing

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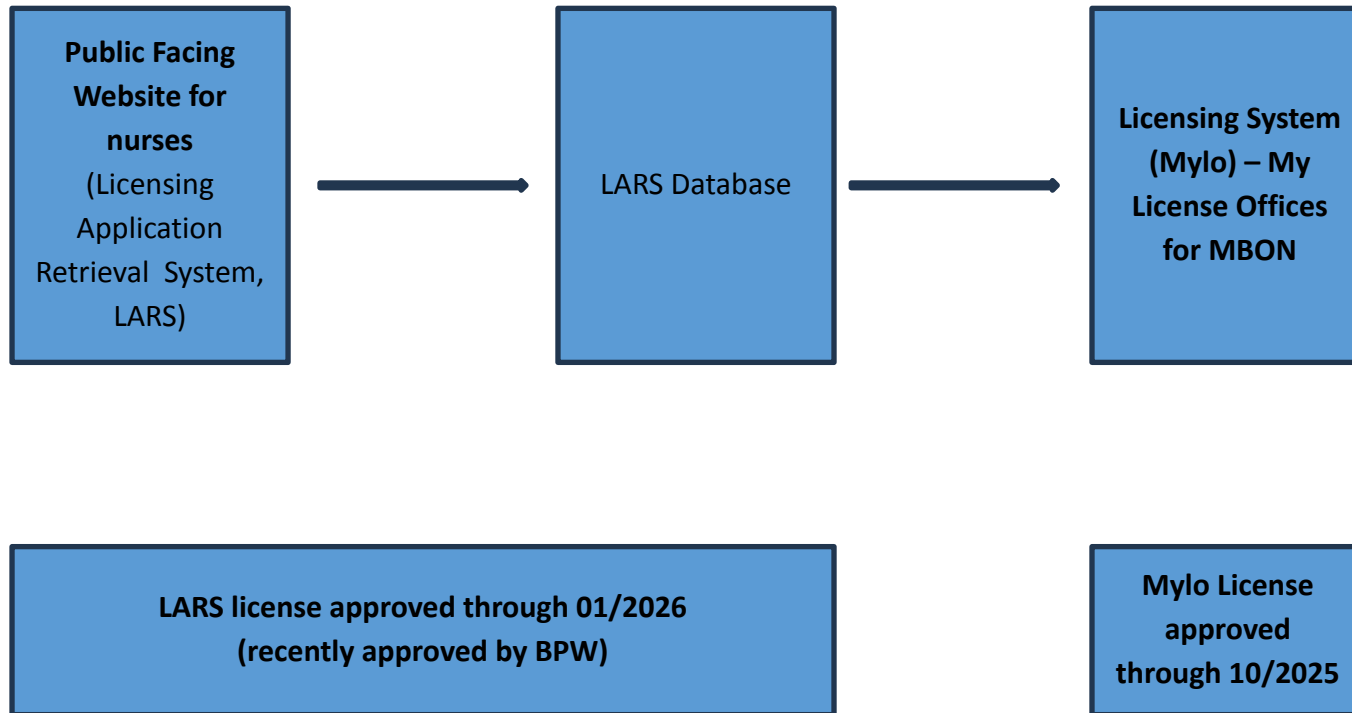
# Reconnection and Security Updates

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- **Network Reconnection** - Effective June 30th, the Board was reconnected to MDH network for the first time since the 2021 network security incident.
- **Security Updates** - MDH is upgrading both the physical and information security of the Board's campus and systems. Additionally, MBoN's licensure system has been migrated to a secure server.
- **Hardware replacement** - MBoN's physical computer needs have been assessed and procurements are in process to replace the lobby area kiosks and to address poor network connectivity.
- **Database Migration** - The current MBoN database, LARS, is being migrated from Oracle to Windows, this was completed on January 8, 2024. This includes securing a new server which will increase the boards capability as well as security.

# MBoN's Current Licensure System

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# Major IT Development Project

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- MBoN has a Major IT Development Project (MITDP) to implement a new licensure system
- The MITDP project team includes members of MBoN and MDH's Office of Enterprise Technology
- MDH has worked to onboard and embed a Project Manager with MBoN's business team, and task order documents have been submitted to secure additional project team resources
- The project team has:
  - drafted a project charter;
  - initiated research on licensing systems in other states and availability of different products available on the market; and
  - begun to document business requirements for a new system
- Procurement of a new system is slated for completion by the end of the calendar year, with the implementation and go-live of a new system by the end of calendar year 2025

# Consultant Recommendation: Technology

EY Recommendation	OPEGA Recommendation	Next Steps
Create automatic dashboards to replace paper reports.	-	MDH has availed MBoN of both technical and procurement expertise to begin the process of replacing the licensure system through a MITDP. The project team has been assembled and is currently meeting with the Board to scope the needs of this new program.
Ensure the My License Office (“MyLO”) portal is on a secure IP address.	-	This has been accomplished.
Eliminate manual entry of paper applications.	-	Will be incorporated into new system
Define technology strategy, key requirements (necessary capabilities for a successful licensing and case management system), and timeline to procure a new licensing system or upgrade existing systems.	An action plan for acquisition of a new electronic licensing system	Will be incorporated into new system
Investigate and repair the current phone system (i.e., IVR routing) to address the failed calls.	An action plan for acquisition of a new telephone system.	The telephonic hardware and software has been updated.

# Consultant Recommendation: Application Processing

EY Recommendation	OPEGA Recommendation	Next Steps
Utilize CJIS rap-back program to streamline background checks.	MBoN should participate in Rap Back or SAM	MBoN agrees with these recommendations. Currently, MBoN does not have the resources to accomplish this; however, Board staff has been trained on “Rap Back” and MBoN is developing a plan to begin enrolling new applicants.
Educate constituents on best practices while applying to avoid incomplete application bottlenecks.	MBoN’s license application system should allow applicants to upload all required documentation electronically.	Will be incorporated into new system
Streamline review of educational institutions for endorsement applications by accepting license approvals from other states as proof that the applicant is qualified for an endorsement.	-	MBoN has been compiling the requirements for interstate licensure requirements so that the application process for nurses from non-MD schools can be accepted more effectively.

# Fiscal Responsibility

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# Consultant Recommendation: Fiscal Responsibility

EY Recommendation	OPEGA Recommendation	Next Steps
<p>Eliminate gap in funding to fulfill Board’s strategic imperatives. Addressing the funding gap will require MBON to collect additional revenue. We note that MBON’s fees are currently well below peers, and MBON may consider increasing fees to be commensurate with peers to directly address revenue gap.</p>	<p>MBON should study its fee structure and issue a report.</p>	<p>Neighboring states’ licensure and certification policies have been compared to Maryland’s with the aim to ensure Maryland is remaining competitive.</p> <p>MBoN leadership has begun the process of updating rates in alignment with the recommendations of both internal review and external consultation.</p> <p>MDH’s Budget Office has allocated a staff member to assist with budget forecasting and rate updates.</p>



# Additional Fiscal Actions

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- **Financial Staffing** - MDH is providing MBoN with supplementary support to provide institutional knowledge and best practices as the Board onboards new fiscal staff.
- **Analysis of Current Needs** - The budgetary needs of MBoN have been ascertained and reviewed on a historical and future trending basis. Moreover, the Office of the Secretary and MBoN meet quarterly to review budget projections.
- **New Revenue Stream Development** - MBoN is reviewing the feasibility of charging for the initial/renewal approval and site visits it conducts for Maryland nursing education and certified nursing assistant training programs, which would be a new stream of income.

# Complaint Response and Investigation

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# Consultant Recommendations: Complaint Response/Investigation

EY Recommendation	OPEGA Recommendation	Next Steps
-	MBON should standardize its complaint form and internal database to monitor complaint sources objectively	MBON agrees with this recommendation. There should be standardization between the information gathered on the complaint form and information that is tracked in its internal database. MBON plans to revise its complaint form to be consistent with the tracking elements in the database once the licensing system has been updated.
-	MBON should have a written policy allowing staff to triage cases requiring immediate action	To implement this recommendation, Board staff intends to present to the Board at an upcoming open meeting, a request that the Board formally delegate authority to Complaints and Investigation (CID) staff to adopt and assign priority levels as defined by the National Council for State Boards of Nursing (NCSBN) and assign a priority level to each case based on the level of risk to public safety.

# Consultant Recommendations: Complaint Response/Investigation

EY Recommendation	OPEGA Recommendation	Next Steps
Assign 'no action' to all Priority Level Three cases being investigated.	The Triage Committee should meet every two weeks, and the committee should ensure that every complaint that it reviews is triaged within 30 days of being received by MBON.	The current backlog of cases are being reviewed by a biweekly committee which recommends no action on items that would not benefit from further work.
Hire multiple full-time non-nurse investigators to clear investigations backlogs and manage future investigations.	-	Enforcement and Background review positions expanded by from 6 to 40. Creating non-nurse investigators will make filling new vacancies easier, and help reduce the backlog.
-	The full board should give more direction to the Triage Committee on what cases should be given priority 3.	MBON agrees with this recommendation. New Board staff and Board members are trained on the NCSBN priority levels. The delegation of triage authority will require Board staff to take cases that are not likely to proceed to investigation to the Board to review and ratify the recommendation to take no action.
Put investigation information and tracking on a more robust and secure system with better tracking mechanisms (reporting and notifications).	-	MBON is currently standing up a new Compliance Office which will oversee this process.

# Staffing

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# Consultant Recommendation: Staffing

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EY Recommendation	OPEGA Recommendation	Next Steps
<p>Prioritize hiring / naming MBON Executive Director in the near term with accountability for MBON transformation.</p>	<p>The Maryland General Assembly should consider repealing the requirement that the executive director of MBON be a licensed nurse.</p>	<p>Rhonda Scott was named Executive Director in 2023.</p>
<p>Explore opportunities to enhance ways of working, such as enhanced and regular communications, hosting regular town halls with employees, define clear career paths, and discuss hybrid or remote work options.</p>	<p>Compensation analysis of salaries and compensation packages at MBON, at other state nursing boards, and in comparable fields in the private sector to assess whether MBON’s salaries and compensation are appropriately competitive.</p>	<p>MDH will work in conjunction with the Department of Budget and Management to address these recommendations.</p>

# Consultant Recommendation: Staffing

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EY Recommendation	OPEGA Recommendation	Next Steps
Enhance training across all levels, including ability to generate reports for decision-making and enable more effective onboarding and continuing education.	-	Best practices and SOP currently used by staff are being codified so that they can be passed on to new hires.
Streamline hiring processes by consolidating application processes.	Determine whether there are opportunities to streamline hiring practices.	The Department will work with DBM to assess hiring timelines at the Board.

# Additional Staffing and Board Appointments

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- **Hiring** - MBoN has received approval for position requests to support new and competitive hiring. Where applicable, the conversion of contractual or temporary hires to full time will promote stronger retention.
- **Appointment of new Board Members** - Ten out of 14 new board members have been appointed
- **Response to Employee needs** - Employee engagement is key to helping staff know where they stand and align themselves with the mission of the organization and leadership has made internal communication a priority. MDH has also been regularly hosting town halls for all employees, including the Boards and Commissions.