

Maryland Nurses Association

**Workplace Violence, Patient
Consent, and Scope of Practice**

The Real Story of the
2018 Legislative Session

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Webinar Instructions

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- **We will answer questions at the end of the presentation. Please feel free to send questions through chat button at any time.**



Welcome and Introduction

- Welcome and Introduction to Webinar – Mary Kay DeMarco, MNA President & Patrick Hennessy, Legislative Committee Chair
 - About MNA Legislative Committee
 - Reviewed 115 bills
 - Took positions on over 48 bills
 - MNA Nurses Night
 - Meeting with Legislators
 - Nurses testifying on bills



Eight Priority Areas in 2018 Session

- Workplace Violence
- Scope of Practice
- Protecting Patient Consent Rights to Testing
- Adult Dental Coverage in Medicaid
- Prescription Drug Monitoring Program
- Reporting policies – women and substance exposed newborns
- School safety
- Stabilizing Health Insurance Market



Workplace Violence

How do we address workplace violence issues?

- **Best Practices:** How do we promoting organizational change and adoption of best practices to prevent and address workplace violence
- **Enforcement:** What are best practices for nurses to report? How do we engage law enforcement and the State's Attorney's?
- **Data:** How do we track and understand the scope of the problem?

Establishment of Workplace Violence Collaborative: Making Health Care Safe for Nurses, Patients, and Families

- The Maryland Nurses Association and the Maryland Hospital Association will collaborate with other stakeholders to develop and implement strategies to address workplace violence.
- Save the Date: June 28th Summit from 9am-4pm @ BWI Marriott



Scope of Practice

- **Community Health Worker** (SB 163/HB 490 – Senate Nathan-Pulliam/Del. Lam):
 - Establishes training standards for community health worker training programs
 - Establishes state certification of community health workers on a voluntary basis
 - Clarifies that community health workers have a non-clinical, supportive role
- **Mobile Integrated Care Teams** (SB 682 – Senator Hershey):
 - Establishes a workgroup to study reimbursement for mobile integrated care teams under MIEMMS
 - MNA is included in the workgroup
- **Sickle Cell Care in the Schools** (SB 161/HB 622 – Senator Nathan-Pulliam/Delegate Patterson):
 - Requires the Maryland Department of Health and Maryland State Department of Education to develop and implement guidelines for diabetes care in public schools
 - Guidelines include training non-clinicians to recognize signs of distress and alert clinicians



Protecting Patient Consent

- **SB 722/HB 1205** – Senator Lee/Delegate Malone
 - Would have required nurses to draw blood without patient consent:
 - For certain drunk driving cases
 - Without a court order. The only requirement would be a declaration of a single police officer
 - MNA teamed up with the Emergency Nurses Association to oppose the bill on the basis of:
 - Would force nurses to draw blood without a court order and against patient consent
 - Would place nurses in higher risk of workplace violence
 - Was unconstitutional
 - Opposition worked. The legislative sponsors withdrew the bill after hearing the concerns of nurses.



Adult Dental Coverage in Medicaid

- **SB 284 – Adult Dental Cover Pilot in Medicaid – Senator Middleton**
 - Maryland does not have adult dental coverage in Medicaid. Over 2/3 of states have coverage.
 - MNA supported SB 284 at Nurses Night.
 - The bill establishes an adult dental coverage pilot with as much as \$10 million invested in State and federal funds.
 - The bill passed unanimously and awaiting the Governor’s signature.



Prescription Drug Monitoring Program

HB 88/SB 1083 – Prescription Drug Monitoring Program – Delegate Barron/Senator Klausmeier

- The bill allowed the PDMP to be used for enforcement instead of clinical management purposes.
- MNA and other provider associations wanted to balance need for enforcement with “pill mill” providers and ensuring that providers are not afraid to prescribe medications for those who are in pain.
- MNA supported joint amendments with MedChi that would have allowed the PDMP to share probable violations with the licensure board. Data would be shared after a review of the Technical Advisory Committee (made up of prescribers)
- The following enforcement actions were considered:
 - PDMP reporting directly to law enforcement any possible violations
 - PDMP reporting directly to licensure boards any possible violations of standards of care
 - PDMP reporting directly to the Controlled Dangerous Substance registration unit for review by clinical pharmacists of possible violations of care
- The bill failed because the Department of Health would not agree to provider amendments.



Reporting of Women and Substance Exposed Newborns

- **Background:** Maryland already requires health care providers to report all substance exposed newborns. There are exceptions if the mother if the mother is taking a legal prescription and not misusing the prescription. This includes medication-assisted treatment for substance use disorders.
- **HB 1744** – Delegate Wilson
 - Originally proposed to remove the reporting exceptions, so all cases would get reported even if women was taking a prescription as prescribed by her provider.
 - MNA raised concerns that this would have a chilling effect on women obtaining the care they need as well as stigmatize women in treatment.
 - House amended the bill in a manner that partially addressed the issues raised by MNA and other advocates.
 - The treatment community, consumer advocates for mental health treatment, ACNM, and MNA proposed other amendments that would address the stigma issue, but the Senate moved the bill without those amendments.



School Safety

- Late in session, there were a number of bills introduced to address school safety.
- Because of the lateness, some of the bills were quickly drafted and raised implementation issues.
- MNA supported the measures and raised some important implementation questions including:
 - How to ensure students and families have access to health care and wrap around support services
 - How to not stigmatize all students who need support as threats
 - How to ensure the families and students were involved with any treatment plans
- **SB 1265 – Senator Klausmeier** passed with:
 - More resources for schools
 - The charge for a group of State Agencies, in consultation with stakeholders, to develop model policies that emphasize access to services
 - Every school system must appoint a mental health services coordinator



Stabilizing Individual Insurance Market

- Individual insurance market is where individuals and families purchase insurance for themselves.
- Rates have spiked this year, making insurance less affordable. MNA has been continuously involved by:
 - Joining with Consumer Health First to ask the Maryland Insurance Administration to moderate the insurance industry's request for rates
 - Wrote to our Congressional delegation to ask for bipartisan solution to the elimination of cost sharing reduction payments
- During the 2018 session, MNA supported a reinsurance package (SB 387 & SB 1267/HB 1787 & 1795 – Senator Middleton/Delegate Pena-Melnyk)
 - Protects essential health benefits
 - Establishes a reinsurance program which will keep rates from growing as quickly. Pays for the costs of high-risk consumers and keeps rates more reasonable for everyone.



Conclusion

- **Questions?**
- **Thank you! Looking forward to working with everyone for the rest of the year.**
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