

HOUSE BILL 179

J2

0lr1629

By: **Delegates Elliott and Krebs**

Introduced and read first time: January 21, 2010

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: February 24, 2010

CHAPTER _____

1 AN ACT concerning

2 **State Board of Nursing – Temporary License – Issuance**

3 FOR the purpose of authorizing the State Board of Nursing to issue a temporary
4 license to an individual who has taken and passed a certain examination, but is
5 waiting for the completion of a certain records check; specifying the scope of
6 temporary licenses issued to certain individuals; exempting certain individuals
7 from a certain provision of law; and generally relating to the issuance of
8 temporary nursing licenses.

9 BY repealing and reenacting, without amendments,
10 Article – Health Occupations
11 Section 8–301(a) and (b)
12 Annotated Code of Maryland
13 (2009 Replacement Volume)

14 BY repealing and reenacting, with amendments,
15 Article – Health Occupations
16 Section 8–301(c) and 8–315(a) and (b)
17 Annotated Code of Maryland
18 (2009 Replacement Volume)

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

21 **Article – Health Occupations**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 8-301.

2 (a) Except as otherwise provided in this title, an individual shall be licensed
3 by the Board before the individual may practice registered nursing in this State.

4 (b) Except as otherwise provided in this title, an individual shall be licensed
5 by the Board before the individual may practice licensed practical nursing in this
6 State.

7 (c) This section does not apply to:

8 (1) A student enrolled in an approved education program while
9 practicing registered nursing or licensed practical nursing in that program;

10 (2) An individual employed by the federal government to practice
11 registered nursing or licensed practical nursing while practicing within the scope of
12 that employment, if the individual is authorized by any state to practice registered
13 nursing or licensed practical nursing;

14 (3) An individual permitted to practice registered nursing or licensed
15 practical nursing under rules and regulations adopted by the Board, if the individual:

16 (i) Otherwise has qualified to practice registered nursing or
17 licensed practical nursing in any other state or country and is in this State
18 temporarily; or

19 (ii) Has an application for a license pending before the Board:

20 1. But has not taken the examination required under
21 this title; [or]

22 2. Has taken an examination under this title, but the
23 results of the examination are not yet known; [and] **OR**

24 **3. HAS TAKEN AND PASSED AN EXAMINATION UNDER**
25 **THIS TITLE, BUT IS WAITING FOR THE COMPLETION OF THE CRIMINAL HISTORY**
26 **RECORDS CHECK; AND**

27 (4) An individual who is assigned by the American Red Cross to a
28 disaster situation in this State to practice registered nursing or licensed practical
29 nursing, if the individual is licensed to practice registered nursing or licensed practical
30 nursing in another state.

31 8-315.

32 (a) The Board may issue a temporary license to any applicant who:

1 (1) Submits to a criminal history records check in accordance with §
2 8–303 of this subtitle;

3 (2) **(I)** Is licensed by any other state; **OR**

4 **(II) HAS TAKEN AND PASSED AN EXAMINATION UNDER THIS**
5 **TITLE, BUT IS WAITING FOR THE COMPLETION OF THE CRIMINAL HISTORY**
6 **RECORDS CHECK;**

7 (3) Submits to the Board:

8 (i) An application on the form required by the Board;

9 (ii) Written, verified evidence that the requirement of item (1) of
10 this subsection is being met; and

11 (iii) Any other document required by the Board; and

12 (4) Pays the fee required by the Board.

13 (b) (1) A temporary license issued to an individual who is authorized to
14 practice registered nursing in another state **OR WHO HAS TAKEN AND PASSED AN**
15 **EXAMINATION UNDER THIS TITLE** authorizes the holder to practice registered
16 nursing in this State while the temporary license is effective.

17 (2) A temporary license issued to an individual who is authorized to
18 practice licensed practical nursing in another state **OR WHO HAS TAKEN AND**
19 **PASSED AN EXAMINATION UNDER THIS TITLE** authorizes the holder to practice
20 licensed practical nursing in this State while the temporary license is effective.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.