

Chapter 657

(House Bill 179)

AN ACT concerning

State Board of Nursing – Temporary License – Issuance

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

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

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

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

Article – Health Occupations

8–301.

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

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

(c) This section does not apply to:

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

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

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

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

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

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

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

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

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

8–315.

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

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

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

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

(3) Submits to the Board:

- (i) An application on the form required by the Board;
 - (ii) Written, verified evidence that the requirement of item (1) of this subsection is being met; and
 - (iii) Any other document required by the Board; and
- (4) Pays the fee required by the Board.

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

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

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

Approved by the Governor, May 20, 2010.