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**By: Delegates Branch, Oaks, Fulton, Opara, C. Mitchell, Parker, Boston, and D. Davis**

Introduced and read first time: March 1, 1996

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Nursing Assistants - Training and Certification**

3 FOR the purpose of requiring an individual to meet certain training and certification  
4 requirements established by the Secretary of Health and Mental Hygiene before  
5 acting as a nursing assistant; establishing minimum training requirements; providing  
6 for a certain application of this Act; defining certain terms; requiring the Secretary  
7 to adopt certain regulations; and generally relating to the training and certification  
8 of nursing assistants.

9 BY adding to

10 Article - Health Occupations  
11 Section 8-507.1  
12 Annotated Code of Maryland  
13 (1994 Replacement Volume and 1995 Supplement)

14 BY repealing and reenacting, with amendments,

15 Article - Health - General  
16 Section 19-308.1  
17 Annotated Code of Maryland  
18 (1990 Replacement Volume and 1995 Supplement)

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**

22 8-507.1.

23 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
24 INDICATED.

25 (2) "HEALTH CARE FACILITY" HAS THE MEANING STATED IN § 19-101 OF  
26 THE HEALTH - GENERAL ARTICLE.

27 (3) "NURSING ASSISTANT" MEANS A NURSES' AIDE, PATIENT CARE  
28 TECHNICIAN, ORDERLY, ATTENDANT, OR OTHER SUPPORTIVE PERSONNEL  
29 EMPLOYED BY A HEALTH CARE FACILITY TO PERFORM PATIENT CARE TASKS FOR

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1 PATIENTS UNDER THE DIRECTION AND IMMEDIATE SUPERVISION OF A LICENSED  
2 NURSE.

3 (B) AN INDIVIDUAL MUST MEET THE TRAINING AND CERTIFICATION  
4 REQUIREMENTS ESTABLISHED BY THE SECRETARY BEFORE ACTING AS A NURSING  
5 ASSISTANT IN A HEALTH CARE FACILITY.

6 (C) THE SECRETARY SHALL ADOPT REGULATIONS PRESCRIBING TRAINING  
7 AND CERTIFICATION OF NURSING ASSISTANTS.

8 (D) (1) TRAINING MEETING THE REQUIREMENTS OF SUBSECTION (B) OF  
9 THIS SECTION MUST BE IN A PROGRAM APPROVED BY THE SECRETARY.

10 (2) TRAINING SHALL INCLUDE AT LEAST 102 HOURS OF COURSE WORK,  
11 HALF OF WHICH SHALL BE CLASSROOM INSTRUCTION AND HALF OF WHICH SHALL  
12 BE SUPERVISED CLINICAL EXPERIENCE IN LONG-TERM CARE.

13 (3) THE COURSE CONTENT OF THE PROGRAM SHALL FOLLOW THE  
14 CURRICULUM REQUIRED BY THE DEPARTMENT FOR GERIATRIC NURSING  
15 ASSISTANTS IN COMPREHENSIVE CARE FACILITIES AND EXTENDED CARE  
16 FACILITIES.

17 (4) A HEALTH CARE FACILITY THAT EMPLOYS NURSING ASSISTANTS  
18 MAY OFFER THE TRAINING REQUIRED UNDER THIS SECTION, IF THE TRAINING  
19 PROGRAM HAS BEEN APPROVED BY THE SECRETARY.

20 (E) THE SECRETARY SHALL ADOPT REGULATIONS PROVIDING FOR THE  
21 EVALUATION AND CERTIFICATION OF THE COMPETENCY OF NURSING ASSISTANTS,  
22 INCLUDING THE ESTABLISHMENT OF A NURSING ASSISTANT REGISTRY.

23 **Article - Health - General**

24 19-308.1.

25 (a) (1) In this section "patient care personnel" means an individual whom a  
26 related institution employs to provide health related or personal care services.

27 (2) "Patient care personnel" does not include an individual who provides  
28 general administrative, nonmedical supervisory, or recordkeeping services in a related  
29 institution.

30 (B) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL CERTIFIED AS A  
31 NURSING ASSISTANT UNDER § 8-507.1 OF THE HEALTH OCCUPATIONS ARTICLE.

32 [(b)] (C) The Secretary may adopt reasonable rules and regulations that set  
33 minimum qualifications for patient care personnel who are not licensed under the Health  
34 Occupations Article.

35 SECTION 2. AND BE IT FURTHER ENACTED, That individuals employed on  
36 October 1, 1996 by a health care facility to perform patient care tasks for patients under  
37 the direction and immediate supervision of a licensed nurse shall be required to comply  
38 with the certification and training requirements of § 8-507.1 of the Health Occupations  
39 Article as of October 1, 1997.

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1           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 1996.