

# HOUSE BILL 378

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By: **Delegates Nathan–Pulliam, Braveboy, Burns, Costa, Hubbard, A. Kelly, Kipke, Oaks, Pena–Melnyk, B. Robinson, and V. Turner**

Introduced and read first time: February 3, 2011

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Nursing – Medication Technician Graduates**

3 FOR the purpose of extending the time period during which a medication technician  
4 graduate may practice without certification from the State Board of Nursing;  
5 and generally relating to the State Board of Nursing and medication technician  
6 graduates.

7 BY repealing and reenacting, with amendments,  
8 Article – Health Occupations  
9 Section 8–6A–07  
10 Annotated Code of Maryland  
11 (2009 Replacement Volume and 2010 Supplement)

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

14 **Article – Health Occupations**

15 8–6A–07.

16 (a) Subject to subsection (g) of this section, the Board shall certify any  
17 applicant who meets the requirements of this subtitle.

18 (b) (1) The Board shall:

19 (i) Issue each new certified nursing assistant or medication  
20 technician a certificate number and registration certificate that indicates the initial  
21 certificate was issued by the Board; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Electronically record each certificate in the Board's database  
2 and on the Board's website.

3 (2) Each certificate shall include:

4 (i) Any expiration date;

5 (ii) The type of certificate; and

6 (iii) Any specific category of nursing assistant.

7 (c) An individual who has met the requirements for a certified nursing  
8 assistant shall be certified with the title of "certified nursing assistant".

9 (d) An individual who routinely performs nursing tasks delegated by a  
10 registered nurse or licensed practical nurse for compensation and has also completed a  
11 Board-approved course in medication administration shall be certified with the title of  
12 "certified medicine aide".

13 (e) An individual who has met the requirements for a certified medication  
14 technician shall be certified with the title of "certified medication technician".

15 (f) The Board may issue a registration certificate to replace a lost, destroyed,  
16 or mutilated certificate, if the certificate holder pays the certificate replacement fee set  
17 by the Board.

18 (g) (1) The Board may issue a temporary practice certificate to an  
19 applicant who:

20 (i) Has met the appropriate certification requirements of this  
21 subtitle to the satisfaction of the Board;

22 (ii) Does not have a criminal record and has not been the subject  
23 of a health professional disciplinary action in this State or another jurisdiction; and

24 (iii) Does not have a criminal charge or a health professional  
25 disciplinary action pending in this State or another jurisdiction.

26 (2) Unless the Board suspends or revokes a temporary practice  
27 certificate, the temporary practice certificate expires 90 days after issuance.

28 (3) A temporary practice certificate may be extended up to an  
29 additional 90 days if the applicant is awaiting the completion of criminal history  
30 record information.

1           (h)    A medication technician graduate may practice for no more than **[90] 180**  
2 days from the date of completion of a medication technician training program without  
3 certification by the Board.

4           (i)    (1)   On receipt of the criminal history record information of an  
5 applicant for certification as a certified nursing assistant forwarded to the Board in  
6 accordance with § 8–303 of this title, in determining whether to grant a certificate, the  
7 Board shall consider:

8                   (i)    The age at which the crime was committed;

9                   (ii)   The circumstances surrounding the crime;

10                  (iii)   The length of time that has passed since the crime;

11                  (iv)   Subsequent work history;

12                  (v)    Employment and character references; and

13                   (vi)   Other evidence that demonstrates whether the applicant  
14 poses a threat to the public health or safety.

15                  (2)    The Board may not issue a certificate if the criminal history record  
16 information required under § 8–303 of this title has not been received.

17           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2011.