

Chapter 281

(Senate Bill 501)

AN ACT concerning

State Board of Nursing – Licensure by Endorsement – Clinical Experience

FOR the purpose of clarifying that certain applicants for license by endorsement are required to have a certain active unencumbered license; requiring certain applicants to submit certain applications and certain evidence of active nursing practice to the State Board of Nursing and submit to certain criminal history records checks; authorizing the Board to waive certain clinical experience requirements under certain circumstances; authorizing the Board to deny certain licenses to certain applicants; requiring the Board to adopt certain regulations; requiring the Board to report to certain committees of the General Assembly on or before certain dates; providing for the termination of certain provisions of this Act; and generally relating to the authority of the State Board of Nursing, licensure by endorsement, and clinical experience.

BY repealing and reenacting, with amendments,
 Article – Health Occupations
 Section 8–307
 Annotated Code of Maryland
 (2009 Replacement Volume and 2012 Supplement)

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

Article – Health Occupations

8–307.

(a) Subject to the provisions of this section, the Board may issue a license by endorsement and waive any appropriate examination requirement of this title for an applicant who [is licensed or registered] **HAS AN ACTIVE UNENCUMBERED LICENSE** to practice registered nursing or licensed practical nursing in any other state or country.

(b) The Board may issue a license by endorsement under this section only if the applicant:

(1) SUBMITS TO THE BOARD AN APPLICATION ON THE FORM THAT THE BOARD REQUIRES;

(2) SUBMITS TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 8-303 OF THIS SUBTITLE;

[(1)] (3) Pays the application fee set by the Board under § 8-304 of this subtitle; and

[(2)] (4) Provides adequate evidence that:

(i) At the time the applicant graduated from a nursing education program approved in the other state or country, the applicant met the educational qualifications then required by the laws of this State;

(ii) At the time the applicant became licensed or registered in the other state or country, the applicant passed in that or any other state or country an examination that was similar to the examination that then was given in this State; and

(iii) The applicant meets the qualifications otherwise required by this title.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health Occupations

8-307.

(C) (1) THE BOARD MAY WAIVE THE CLINICAL EXPERIENCE REQUIREMENTS ESTABLISHED UNDER THIS SUBTITLE FOR AN APPLICANT WHO HAS AN ACTIVE UNENCUMBERED LICENSE TO PRACTICE REGISTERED NURSING OR LICENSED PRACTICAL NURSING IN ANY OTHER STATE OR COUNTRY BUT DOES NOT SATISFY THE REQUIREMENT UNDER SUBSECTION (B)(4)(I) OF THIS SECTION, IF THE APPLICANT:

~~(1)~~ (1) GRADUATED FROM A PROGRAM ACCREDITED BY A NURSING ACCREDITATION AGENCY RECOGNIZED BY THE BOARD;

~~(2)~~ ~~HAS NEVER BEEN DISCIPLINED IN ANOTHER STATE OR COUNTRY;~~

~~(3)~~ (II) SUBMITS TO THE BOARD SATISFACTORY EVIDENCE OF COMPLETING ~~1,000 HOURS OF~~ ACTIVE NURSING PRACTICE ~~WITHIN THE 12-MONTH PERIOD IMMEDIATELY PRECEDING THE DATE OF THE APPLICATION~~ AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION; AND

~~(4) MEETS THE REQUIREMENTS OTHERWISE REQUIRED BY THIS TITLE.~~

(III) OTHERWISE MEETS THE REQUIREMENTS OF THIS SECTION.

(2) (I) AN APPLICANT APPLYING FOR A REGISTERED NURSE LICENSE UNDER THIS SUBSECTION SHALL SUBMIT EVIDENCE OF COMPLETING 1,000 HOURS OF ACTIVE PRACTICE AS A REGISTERED NURSE WITHIN THE 12-MONTH PERIOD IMMEDIATELY PRECEDING THE DATE OF THE APPLICATION.

(II) AN APPLICANT APPLYING FOR A LICENSED PRACTICAL NURSE LICENSE UNDER THIS SUBSECTION SHALL SUBMIT EVIDENCE OF COMPLETING 1,000 HOURS OF ACTIVE PRACTICE AS A LICENSED PRACTICAL NURSE WITHIN THE 12-MONTH PERIOD IMMEDIATELY PRECEDING THE DATE OF THE APPLICATION.

(3) IF AN APPLICANT APPLYING FOR A LICENSE UNDER THIS SUBSECTION HAS BEEN DISCIPLINED IN ANOTHER STATE OR COUNTRY FOR AN ACT THAT WOULD BE A VIOLATION UNDER § 8-316(A) OF THIS SUBTITLE, THE BOARD MAY DENY A LICENSE TO THE APPLICANT.

~~(D) (4) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBSECTION (C) OF THIS SECTION.~~

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2016, and December 1, 2018, the State Board of Nursing shall report to the Senate Education, Health and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2-1246 of the State Government Article, on the number of registered nurses who have applied for licensure by endorsement under the provisions of ~~§ 8-307~~ § 8-307(c) of the Health Occupations Article, as enacted by Section ~~1~~ 2 of this Act, between October 1, 2013, and October 1, 2016, and between October 1, 2016, and October 1, 2018, respectively.

SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013. ~~§ Section 2 of this Act~~ shall remain effective for a period of 5 years and, at the end of September 30, 2018, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.

Approved by the Governor, May 2, 2013.