

## Article - Health Occupations

[Previous][Next]

§8–205.

(a) In addition to the powers and duties set forth elsewhere in this title, the Board has the following powers and duties:

- (1) To adopt rules and regulations to carry out the provisions of this title;
- (2) To set standards for the practice of registered nursing, licensed practical nursing, certified nursing assistants, and certified medication technicians;
- (3) To adopt rules and regulations for the performance of delegated medical functions that are recognized jointly by the State Board of Physicians and the State Board of Nursing, under § 14–306(d) of this article;
- (4) To adopt rules and regulations for the performance of additional nursing acts that:
  - (i) May be performed under any condition authorized by the Board, including emergencies; and
  - (ii) Require education and clinical experience;
- (5) To adopt rules and regulations for registered nurses to perform independent nursing functions that:
  - (i) Require formal education and clinical experience; and
  - (ii) May be performed under any condition authorized by the Board, including emergencies;
- (6) To adopt rules and regulations for licensed practical nurses to perform additional acts in the practice of registered nursing that:
  - (i) Require formal education and clinical experience;
  - (ii) May be performed under any condition authorized by the Board, including emergencies; and
  - (iii) Are recognized by the Nursing Board as proper for licensed practical nurses to perform;
- (7) To keep a record of its proceedings;
- (8) To submit to the Governor, the Secretary, and, in accordance with § 2–1246 of the State Government Article, the General Assembly, an annual report that

includes the following data calculated on a fiscal year basis:

(i) The number of initial and renewal licenses and certificates issued;

(ii) The number of positive and negative criminal history records checks results received;

(iii) The number of individuals denied initial or renewal licensure or certification due to positive criminal history records checks results;

(iv) The number of individuals denied licensure or certification due to reasons other than a positive criminal history records check;

(v) The number of new complaints received;

(vi) The number of complaints carried over from year to year;

(vii) The most common grounds for complaints; and

(viii) The number and types of disciplinary actions taken by the Board;

(9) To enforce the employment record requirements of this title;

(10) To keep separate lists, which lists are open to reasonable public inspection, of all:

(i) Registered nurses licensed under this title;

(ii) Licensed practical nurses licensed under this title;

(iii) Nurse midwives certified under this title;

(iv) Nurse practitioners certified under this title; and

(v) Other licensees with a nursing specialty that is certified under this title;

(11) To collect any funds of the Board;

(12) To report any alleged violation of this title to the State's Attorney of the county where the alleged violation occurred;

(13) In accordance with the State budget, to incur any necessary expense for prosecution of an alleged violation of this title;

(14) On receipt of a written and signed complaint, including a referral from the Commissioner of Labor and Industry, conduct an unannounced inspection of the office of a nurse in independent practice, other than an office of a nurse in

independent practice in a hospital, related institution, freestanding medical facility, or a freestanding birthing center, to determine compliance at that office with the Centers for Disease Control and Prevention's guidelines on universal precautions; and

(15) To maintain a nurse aide registry that complies with federal law.

(b) With regard to any list kept by the Board under subsection (a)(10) of this section, upon written request from an individual licensee the Board shall delete that individual's name from any licensee list purchased from the Board.

(c) (1) The Board is the only unit of the Department that is responsible for adopting rules and regulations to determine:

(i) Individuals to whom any act of the practice of registered nursing and licensed practical nursing may be delegated; and

(ii) The acts that may be delegated safely.

(2) The Department shall retain its authority to require training for nonlicensed patient care personnel under § 19-308.1 of the Health - General Article.

[Previous][Next]