

Article - Health Occupations

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§8–302.

(a) Except as otherwise provided in this title, to qualify for a license or certification, an applicant shall be an individual who submits to a criminal history records check in accordance with § 8–303 of this subtitle and meets the requirements of this section.

(b) (1) An applicant for certification as an advanced practice nurse shall:

- (i) Be a registered nurse;
- (ii) Complete an education program approved by the Board;
- (iii) Submit to the Board:

1. A completed application for certification as a nurse practitioner, nurse anesthetist, nurse midwife, nurse psychotherapist, or clinical nurse specialist for each area in which certification is sought;

2. Documentation of an active license in good standing as a registered nurse in the State;

3. Documentation that the applicant has graduated from an accredited program for advanced practice nursing for nurse practitioners, nurse anesthetists, nurse midwives, nurse psychotherapists, or clinical nurse specialists; and

4. Documentation of certification as a nurse practitioner, nurse anesthetist, nurse midwife, nurse psychotherapist, or clinical nurse specialist by a nationally recognized certifying body approved by the Board; and

(iv) Meet any other requirements that the Board sets.

(2) (i) An individual certified as a nurse practitioner by a national certifying body prior to October 1, 2010 who is certified by the Board and in good standing shall be deemed to meet the education requirements under subsection (b)(1)(iii)3 of this section.

(ii) An individual certified as a nurse anesthetist, nurse midwife, nurse psychotherapist, or clinical nurse specialist who is certified by the Board and in good standing prior to October 1, 2012, shall be deemed to meet the education requirements under subsection (b)(1)(iii)3 of this section.

(3) In addition to the requirements for renewal of a license under § 8–312 of this subtitle, the Board may establish continuing education or competency requirements for the renewal of a certificate under this subsection.

(4) (i) Subject to the provisions of this subsection, the Board may waive any requirement of this subsection for an applicant who is licensed or certified to practice as a nurse practitioner, nurse anesthetist, nurse midwife, nurse psychotherapist, or clinical nurse specialist in any other state or country.

(ii) The Board may grant a waiver under this paragraph only if the applicant:

1. Pays the application fee required by the Board under § 8–304 of this subtitle;

2. Became licensed or certified in the other state or country under requirements substantially equivalent to the certification requirements of this title; and

3. Meets any other qualifications established by the Board.

(5) (i) An applicant for initial certification as a nurse practitioner who has not been certified by the Board or any other board of nursing shall identify on the application for certification a mentor who will consult and collaborate with the applicant for 18 months beginning on the date the application for certification is received by the Board.

(ii) A certified nurse practitioner shall practice in accordance with the standards of practice of the American Association of Nurse Practitioners or any other national certifying body recognized by the Board.

(6) Unless authorized to practice as a nurse practitioner under this title, a person may not:

(i) Represent to the public by title or by description of services, methods, or procedures, or otherwise, that the person is authorized to practice as a nurse practitioner in this State;

(ii) Use as a title or describe the services the person provides by use of the words “nurse practitioner” or “certified registered nurse practitioner”; or

(iii) Use the abbreviation “N.P.,” “C.R.N.P.,” or any other words, letters, or symbols with the intent to represent that the person practices as a nurse practitioner.

(7) Unless authorized to practice as a nurse anesthetist under this title, a person may not:

(i) Practice nurse anesthesia unless certified by the Board in accordance with this section; or

(ii) Use the title “certified nurse anesthetist,” “nurse anesthetist”,

or any other words, letters, or symbols with the intent to represent that the person practices as a nurse anesthetist.

(8) Unless authorized to practice as a nurse midwife under this title, a person may not:

(i) Practice nurse midwifery unless certified by the Board in accordance with this section; or

(ii) Use the title “certified nurse midwife”, “nurse midwife”, or any other words, letters, or symbols with the intent to represent that the person practices as a nurse midwife.

(9) Unless authorized to practice as a nurse psychotherapist under this title, a person may not:

(i) Practice as a nurse psychotherapist unless certified by the Board in accordance with this section; or

(ii) Use the title “advanced practice nurse”, “certified nurse psychotherapist”, “registered nurse/psychiatric mental health”, “nurse psychotherapist”, or any other words, letters, or symbols with the intent to represent that the person practices as a nurse psychotherapist.

(10) Unless authorized to practice as a clinical nurse specialist under this title, a person may not:

(i) Practice as a clinical nurse specialist unless certified by the Board in accordance with this section; or

(ii) Use the title “certified clinical nurse specialist”, “clinical nurse specialist”, “clinical registered nurse specialist”, “clinical nurse specialist graduate”, or any other words, letters, or symbols with the intent to represent that the person practices as a clinical nurse specialist.

(c) An applicant for a license to practice registered nursing shall complete satisfactorily and meet all requirements for a diploma or degree from:

(1) A registered nursing education program approved by the Board; or

(2) An education program in registered nursing in any other state or country that the Board finds substantially equivalent to the program in this State.

(d) An applicant for a license to practice licensed practical nursing shall:

(1) Meet all requirements for a high school diploma or its equivalent; and

(2) Complete satisfactorily and meet all requirements for a diploma from:

(i) A licensed practical nursing education program or its equivalent approved by the Board; or

(ii) An education program in licensed practical nursing in any other state or country that the Board finds substantially equivalent to the program in this State.

(e) Except as otherwise provided in this title, the applicant shall pass an examination developed by the National Council of State Boards of Nursing and administered at a testing site approved by the National Council.

(f) (1) Except as otherwise provided in this subsection, the Board shall require as part of its examination or licensing procedures that an applicant for a license to practice registered nursing or licensed practical nursing demonstrate an oral competency in the English language.

(2) Acceptable proof of proficiency in the oral communication of the English language under this section includes:

(i) After at least 3 years of enrollment, graduation from a recognized English-speaking undergraduate school;

(ii) Graduation from a recognized English-speaking professional school; or

(iii) Completion of at least 5 years of practicing nursing in another state or English-speaking territory of the United States.

(3) By regulation, the Board shall develop a procedure for testing individuals who because of their speech impairment are unable to complete satisfactorily a Board approved standardized test of oral competency.

(4) If any disciplinary charge or action that involves a problem with the oral communication of the English language is brought against a licensee under this title, the Board shall require the licensee to take and pass a Board approved standardized test of oral competency.

(5) The Board may not require that an applicant for a license to practice registered nursing or licensed practical nursing who was previously licensed in any other state to practice registered nursing or licensed practical nursing to demonstrate an oral competency in the English language as part of its examination or licensing procedures if the other state has a similar oral competency component as part of its examination or licensing procedures.

(6) (i) The Board may issue a temporary license to any applicant for a license to practice registered nursing or licensed practical nursing who was previously licensed in any other state to practice registered nursing or licensed practical nursing and who, except for the oral competency in the English language component, is

otherwise qualified for a license.

(ii) A temporary license issued under this subsection is valid only until the date when the next test to demonstrate oral competency in the English language is given.

(g) An applicant for a license or certification under this section shall be of good moral character.

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