

HOUSE BILL 1208

J2, Q3

(2lr0907)

ENROLLED BILL

— *Health and Government Operations/Budget and Taxation and Education, Health, and Environmental Affairs* —

Introduced by ~~Delegate Kelly~~ Delegates Kelly, Bagnall, Belcastro, Bhandari, Carr, Chisholm, Cullison, Hill, Johnson, Kaiser, Kerr, Kipke, Landis, R. Lewis, Morgan, Pena-Melnyk, Pendergrass, Reilly, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Health Occupations – Health Care Workforce Expansion**

3 FOR the purpose of establishing requirements on the State Board of Nursing related to the
4 expansion of the workforce in nursing-related fields; establishing a State income tax
5 credit for certain licensed practical nurses, ~~nurse practitioners~~ advanced practice
6 registered nurses, and registered nurses; establishing the Licensed Practical Nurse
7 and Registered Nurse Preceptorship Tax Credit Fund as a special, nonlapsing fund;
8 requiring the Maryland Department of Health to work with the Division of
9 Workforce Development and Adult Learning in the Maryland Department of Labor
10 to convene a stakeholder workgroup to study expanding the State apprenticeship
11 programs to the health care workforce; ~~requiring the Maryland Department of~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



~~Health to convene a workgroup to study how the State can implement a certain loan repayment assistance program;~~ and generally relating to expansion of the health care workforce in the State.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section ~~8–205, 8–312(c), and 8–6A–05(b)~~ 8–6A–05(a) and (b)

Annotated Code of Maryland

(2021 Replacement Volume)

BY adding to

Article – Health Occupations

Section ~~8–205.2 and 8–514~~ 8–6A–14(g)

Annotated Code of Maryland

(2021 Replacement Volume)

BY adding to

Article – Tax – General

Section 10–739.1

Annotated Code of Maryland

(2016 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

Article – Health Occupations

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, advanced practice registered nursing, licensed practical nursing, certified nursing assistants, certified medication technicians, electrology, direct-entry midwifery, and certified midwifery;

(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:

1 (i) May be performed under any condition authorized by the Board,
2 including emergencies; and

3 (ii) Require education and clinical experience;

4 (5) To adopt rules and regulations for registered nurses to perform
5 independent nursing functions that:

6 (i) Require formal education and clinical experience; and

7 (ii) May be performed under any condition authorized by the Board,
8 including emergencies;

9 (6) To adopt rules and regulations for licensed practical nurses to perform
10 additional acts in the practice of registered nursing that:

11 (i) Require formal education and clinical experience;

12 (ii) May be performed under any condition authorized by the Board,
13 including emergencies; and

14 (iii) Are recognized by the Nursing Board as proper for licensed
15 practical nurses to perform;

16 ~~(7) TO ADOPT RULES AND REGULATIONS FOR CLINICAL EXTERN~~
17 ~~CERTIFICATES AUTHORIZED UNDER § 8-514 OF THIS TITLE;~~

18 ~~[(7)] (8)~~ To keep a record of its proceedings;

19 ~~[(8)] (9)~~ To submit to the Governor, the Secretary, and, in accordance
20 with § 2-1257 of the State Government Article, the General Assembly, an annual report
21 that includes [the]:

22 (I) THE following data calculated on a fiscal year basis:

23 [(i)] 1. The number of initial and renewal licenses and certificates
24 issued;

25 [(ii)] 2. The number of positive and negative criminal history
26 records checks results received;

27 [(iii)] 3. The number of individuals denied initial or renewal
28 licensure or certification due to positive criminal history records checks results;

29 [(iv)] 4. The number of individuals denied licensure or certification
30 due to reasons other than a positive criminal history records check;

- 1 [(v)] 5. The number of new complaints received;
- 2 [(vi)] 6. The number of complaints carried over from year to year;
- 3 [(vii)] 7. The most common grounds for complaints; and
- 4 [(viii)] 8. The number and types of disciplinary actions taken
5 by the Board; AND

6 (II) **BY ANALYZING INFORMATION GATHERED FROM RENEWAL**
7 **APPLICATIONS SUBMITTED UNDER § 8-312 OF THIS TITLE, AN EVALUATION OF THE**
8 **STATE'S NURSING WORKFORCE BY CERTIFICATION LEVEL, REGION, AND TYPE OF**
9 **WORKPLACE, INCLUDING HOSPITALS AND HOME HEALTH WORKERS;**

- 10 ~~[(9)]~~ ~~(10)~~ To enforce the employment record requirements of this title;
- 11 ~~[(10)]~~ ~~(11)~~ To keep separate lists, which lists are open to reasonable public
12 inspection, of all:
- 13 (i) Registered nurses licensed under this title;
- 14 (ii) Licensed practical nurses licensed under this title;
- 15 (iii) Nurse midwives certified under this title;
- 16 (iv) Nurse practitioners certified under this title;
- 17 (v) Nurse anesthetists certified under this title;
- 18 (vi) Clinical nurse specialists certified under this title;
- 19 (vii) Certified medication technicians certified under this title;
- 20 (viii) Electrologists licensed under this title;
- 21 (ix) Direct-entry midwives licensed under this title;
- 22 (x) Certified midwives licensed under this title; and
- 23 (xi) Other licensees with a nursing specialty that is certified under
24 this title;
- 25 ~~[(11)]~~ ~~(12)~~ To collect any funds of the Board;

1 ~~[(12)] (13)~~ To report any alleged violation of this title to the State's Attorney
2 of the county where the alleged violation occurred;

3 ~~[(13)] (14)~~ In accordance with the State budget, to incur any necessary
4 expense for prosecution of an alleged violation of this title;

5 ~~[(14)] (15)~~ On receipt of a written and signed complaint, including a referral
6 from the Commissioner of Labor and Industry, conduct an unannounced inspection of the
7 office of a nurse in independent practice, other than an office of a nurse in independent
8 practice in a hospital, related institution, freestanding medical facility, or a freestanding
9 birthing center, to determine compliance at that office with the Centers for Disease Control
10 and Prevention's guidelines on universal precautions;

11 ~~[(15)] (16)~~ To maintain a nurse aide registry that complies with federal law;

12 ~~[(16)] (17)~~ To appoint standing and ad hoc committees from among Board
13 members as necessary; and

14 ~~[(17)] (18)~~ To delegate to the executive director of the Board the authority
15 to discharge Board duties deemed appropriate and necessary by the Board and to hold the
16 executive director accountable to the Board.

17 (b) With regard to any list kept by the Board under subsection ~~[(a)(10)] (A)(11)~~
18 of this section, upon written request from an individual licensee the Board shall delete that
19 individual's name from any licensee list purchased from the Board.

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

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

24 (ii) The acts that may be delegated safely.

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

27 ~~§ 205.2.~~

28 ~~**THE BOARD SHALL:**~~

29 ~~(1) CREATE AND IMPLEMENT A MARKETING PLAN TO ATTRACT~~
30 ~~INDIVIDUALS TO SEEK LICENSURE AND CERTIFICATION UNDER THIS TITLE; AND~~

~~(2) CREATE AND MAINTAIN ON ITS PUBLICLY ACCESSIBLE WEBSITE A SINGLE LOCATION THAT HAS INFORMATION FOR INDIVIDUALS SEEKING LICENSURE OR CERTIFICATION UNDER THIS TITLE ON:~~

~~(I) PATHWAYS TO LICENSURE OR CERTIFICATION;~~

~~(II) FUNDING AND FINANCING OPTIONS TO PAY FOR REQUIRED EDUCATION AND TRAINING; AND~~

~~(III) ACCREDITED SCHOOLS AND TRAINING PROGRAMS.~~

8-312.

(c) Before a license expires, the licensee periodically may renew it for an additional term, if the licensee:

(1) Otherwise is entitled to be licensed;

(2) Pays to the Board:

(i) A renewal fee set by the Board; or

(ii) A renewal fee that is set by the Board if the licensee certifies to the Board that the licensee provides professional services only as a volunteer; and

(3) Submits to the Board by paper application or electronic means:

(i) A renewal application on the form that the Board requires **THAT INCLUDES WORKFORCE DATA INFORMATION NECESSARY FOR THE REPORT REQUIRED UNDER § 8-205(A) OF THIS TITLE;** and

(ii) Satisfactory evidence of completion of:

1. 1,000 hours of active nursing practice within the 5-year period immediately preceding the date of renewal;

2. A course of instruction, commonly known as a refresher course, approved by the Board;

3. A preceptorship program provided by an employer and approved by the Board; or

4. A minimum number of continuing education units as required by regulations adopted by the Board.

1 ~~(A) IN THIS SECTION, "CLINICAL EXTERN" MEANS A STUDENT AT AN~~
2 ~~ACCREDITED SCHOOL OF NURSING APPROVED BY THE BOARD WHO HAS BEEN~~
3 ~~CERTIFIED BY THE BOARD TO AUGMENT THE HEALTH SERVICES WORKFORCE.~~

4 ~~(B) THE BOARD SHALL ISSUE A CLINICAL EXTERN CERTIFICATE TO A~~
5 ~~NURSING STUDENT WHO:~~

6 ~~(1) SUBMITS TO THE BOARD:~~

7 ~~(I) AN APPLICATION ON THE FORM REQUIRED BY THE BOARD;~~

8 ~~AND~~

9 ~~(II) A SUPERVISOR AGREEMENT SIGNED BY THE APPLICANT'S~~
10 ~~PROPOSED LICENSEE SUPERVISOR;~~

11 ~~(2) HAS MET THE EDUCATIONAL CRITERIA ESTABLISHED BY THE~~
12 ~~BOARD; AND~~

13 ~~(3) MEETS ANY OTHER CRITERIA ESTABLISHED BY THE BOARD FOR~~
14 ~~CERTIFICATION AS A CLINICAL EXTERN.~~

15 ~~(C) A CLINICAL EXTERN MAY:~~

16 ~~(1) PRACTICE AT A HOSPITAL OR AUXILIARY TREATMENT SITE~~
17 ~~APPROVED BY THE BOARD;~~

18 ~~(2) PERFORM HEALTH CARE SERVICES APPROVED BY THE BOARD~~
19 ~~ONLY UNDER THE DIRECT SUPERVISION OF THE LICENSEE SUPERVISOR APPROVED~~
20 ~~BY THE BOARD; AND~~

21 ~~(3) PROVIDE HEALTH CARE SERVICES IN ACCORDANCE WITH THE~~
22 ~~CLINICAL EXTERN'S TRAINING AND TO THE EXTENT OF THE CLINICAL EXTERN'S~~
23 ~~COMPETENCY AS DETERMINED BY THE CLINICAL EXTERN'S LICENSEE SUPERVISOR.~~

24 ~~(D) THE BOARD SHALL ADOPT REGULATIONS NECESSARY TO CARRY OUT~~
25 ~~THIS SECTION.~~

26 8-6A-05.

27 (a) The Board shall adopt regulations establishing:

28 (1) Categories of certified nursing assistants, including geriatric nursing
29 assistants, home health aides, school health aides, dialysis technicians, individuals
30 working in developmental disabilities administration facilities, and medicine aides;

1 (2) Qualifications for each category of certified nursing assistant;

2 (3) Qualifications for certified medication technicians; [and]

3 (4) Standards for qualification of applicants for certification, including the
 4 applicant’s criminal history, work record, and prohibitions against behavior which may be
 5 potentially harmful to patients; AND

6 **(5) STANDARDS FOR THE ONLINE PROVISION OF ~~ALL ASPECTS OF~~**
 7 **DIDACTIC INSTRUCTION IN A NURSING ASSISTANT TRAINING PROGRAM THAT MEETS**
 8 **THE REQUIREMENTS ESTABLISHED BY THE BOARD.**

9 (b) (1) To qualify for certification as a nursing assistant, a nursing assistant
 10 in a specific category, or a medication technician, an applicant shall meet the requirements
 11 set by the Board.

12 **(2) REQUIREMENTS SET BY THE BOARD UNDER PARAGRAPH (1) OF**
 13 **THIS SUBSECTION REGARDING QUALIFICATIONS FOR CERTIFICATION AS A**
 14 **GERIATRIC NURSING ASSISTANT SHALL INCLUDE PROVISIONS TO ALLOW AN**
 15 **INDIVIDUAL WHO HAS BEEN PRACTICING AS A ~~TEMPORARY~~ NURSING ASSISTANT**
 16 **~~WITHOUT CERTIFICATION BY THE BOARD~~, IN ACCORDANCE WITH THE WAIVER OF**
 17 **THE REQUIREMENTS OF 42 C.F.R. § 483.35(D) ISSUED BY THE CENTERS FOR**
 18 **MEDICARE AND MEDICAID SERVICES ON MARCH 6, 2020, TO APPLY ON-THE-JOB**
 19 **EXPERIENCE AS A NURSING ASSISTANT TOWARD THE TOTAL NUMBER OF TRAINING**
 20 **HOURS REQUIRED FOR CERTIFICATION AS A GERIATRIC NURSING ASSISTANT.**

21 8-6A-14.

22 **(G) THE BOARD SHALL APPROVE THE USE OF A NURSING ASSISTANT**
 23 **TRAINING SITE BY A NURSING ASSISTANT TRAINING PROGRAM WITHIN ~~14~~ 45 DAYS**
 24 **AFTER THE NURSING ASSISTANT TRAINING PROGRAM APPLIES FOR APPROVAL IF**
 25 **THE NURSING ASSISTANT TRAINING PROGRAM HAD PREVIOUSLY BEEN APPROVED**
 26 **TO USE THE TRAINING SITE BY THE BOARD.**

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

29 **Article – Tax – General**

30 **10-739.1.**

31 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 32 INDICATED.

1 (2) “ADVANCED PRACTICE REGISTERED NURSE” HAS THE SAME
2 MEANING STATED IN § 8-101 OF THE HEALTH OCCUPATIONS ARTICLE.

3 (3) “DEPARTMENT” MEANS THE MARYLAND DEPARTMENT OF
4 HEALTH.

5 ~~(3)~~ (4) “LICENSED PRACTICAL NURSE” HAS THE MEANING STATED
6 IN § 8-101 OF THE HEALTH OCCUPATIONS ARTICLE.

7 ~~(4) “NURSE PRACTITIONER” HAS THE MEANING STATED IN § 8-101~~
8 ~~OF THE HEALTH OCCUPATIONS ARTICLE.~~

9 (5) “PRECEPTORSHIP PROGRAM” MEANS AN ORGANIZED SYSTEM OF
10 CLINICAL EXPERIENCE THAT, FOR THE PURPOSE OF ATTAINING SPECIFIED
11 LEARNING OBJECTIVES, PAIRS A LICENSED PRACTICAL NURSE OR REGISTERED
12 NURSE STUDENT ENROLLED IN A NURSING EDUCATION PROGRAM THAT IS
13 RECOGNIZED BY THE STATE BOARD OF NURSING WITH A LICENSED PRACTICAL
14 NURSE, ~~NURSE PRACTITIONER~~ ADVANCED PRACTICE REGISTERED NURSE, OR
15 REGISTERED NURSE WHO MEETS THE QUALIFICATIONS AS A PRECEPTOR.

16 (6) “REGISTERED NURSE” HAS THE MEANING STATED IN § 8-101 OF
17 THE HEALTH OCCUPATIONS ARTICLE.

18 (B) (1) SUBJECT TO THE LIMITATIONS OF THIS SECTION, A LICENSED
19 PRACTICAL NURSE, ~~NURSE PRACTITIONER~~ ADVANCED PRACTICE REGISTERED
20 NURSE, OR REGISTERED NURSE MAY CLAIM A CREDIT AGAINST THE STATE INCOME
21 TAX IN THE AMOUNT STATED ON THE TAX CREDIT CERTIFICATE ISSUED UNDER
22 SUBSECTION (C) OF THIS SECTION FOR THE TAXABLE YEAR IN WHICH THE LICENSED
23 PRACTICAL NURSE, ~~NURSE PRACTITIONER~~ ADVANCED PRACTICE REGISTERED
24 NURSE, OR REGISTERED NURSE SERVED WITHOUT COMPENSATION AS A PRECEPTOR
25 IN A PRECEPTORSHIP PROGRAM APPROVED BY THE STATE BOARD OF NURSING AND
26 WORKED:

27 (I) A MINIMUM OF THREE ROTATIONS, EACH CONSISTING OF AT
28 LEAST 100 HOURS OF COMMUNITY-BASED CLINICAL TRAINING; AND

29 (II) IN AN AREA OF THE STATE IDENTIFIED AS HAVING A
30 HEALTH CARE WORKFORCE SHORTAGE BY THE DEPARTMENT, IN CONSULTATION
31 WITH THE GOVERNOR’S WORKFORCE DEVELOPMENT BOARD.

32 (2) (I) THE TOTAL AMOUNT OF THE CREDIT ALLOWED UNDER THIS
33 SECTION FOR ANY TAXABLE YEAR MAY NOT EXCEED THE STATE INCOME TAX
34 IMPOSED FOR THAT TAXABLE YEAR.

1 (II) ANY UNUSED AMOUNT OF THE CREDIT FOR ANY TAXABLE
2 YEAR MAY NOT BE CARRIED OVER TO ANY OTHER TAXABLE YEAR.

3 (C) (1) ON APPLICATION BY A LICENSED PRACTICAL NURSE, ~~NURSE~~
4 ~~PRACTITIONER~~ ADVANCED PRACTICE REGISTERED NURSE, OR REGISTERED NURSE,
5 THE DEPARTMENT SHALL ISSUE A CREDIT CERTIFICATE IN THE AMOUNT OF \$1,000
6 FOR EACH STUDENT ROTATION OF THE MINIMUM NUMBER OF HOURS REQUIRED
7 UNDER SUBSECTION (B)(1)(I) OF THIS SECTION FOR WHICH THE LICENSED
8 PRACTICAL NURSE, ~~NURSE-PRACTITIONER~~ ADVANCED PRACTICE REGISTERED
9 NURSE, OR REGISTERED NURSE SERVED AS A PRECEPTOR WITHOUT
10 COMPENSATION.

11 (2) THE APPLICATION SHALL CONTAIN:

12 (I) THE NAME OF THE APPLICANT;

13 (II) INFORMATION IDENTIFYING THE PRECEPTORSHIP IN
14 WHICH THE APPLICANT PARTICIPATED;

15 (III) THE NUMBER AND NAMES OF THE STUDENTS FOR WHOM
16 THE INDIVIDUAL SERVED AS A PRECEPTOR WITHOUT COMPENSATION; AND

17 (IV) ANY OTHER INFORMATION THAT THE DEPARTMENT
18 REQUIRES.

19 (3) FOR ANY TAXABLE YEAR, THE AMOUNT OF TAX CREDIT STATED IN
20 THE TAX CREDIT CERTIFICATE MAY NOT EXCEED \$10,000.

21 (4) THE DEPARTMENT SHALL:

22 (I) APPROVE ALL APPLICATIONS THAT QUALIFY FOR A TAX
23 CREDIT CERTIFICATE UNDER THIS SUBSECTION ON A FIRST-COME, FIRST-SERVED
24 BASIS; AND

25 (II) NOTIFY A TAXPAYER WITHIN 45 DAYS OF RECEIPT OF THE
26 TAXPAYER'S APPLICATION OF ITS APPROVAL OR DENIAL.

27 (5) (I) FOR EACH TAXABLE YEAR, THE TOTAL AMOUNT OF TAX
28 CREDIT CERTIFICATES THAT MAY BE ISSUED BY THE DEPARTMENT UNDER THIS
29 SECTION MAY NOT EXCEED THE LESSER OF:

30 1. THE TOTAL FUNDS IN THE LICENSED PRACTICAL
31 NURSE AND REGISTERED NURSE PRECEPTORSHIP TAX CREDIT FUND FOR THAT
32 YEAR; OR

1 **2. \$100,000.**

2 **(II) IF THE AGGREGATE AMOUNT OF TAX CREDIT CERTIFICATES**
3 **ISSUED UNDER THIS SECTION DURING A TAXABLE YEAR TOTALS LESS THAN THE**
4 **AMOUNT AUTHORIZED UNDER THIS PARAGRAPH, ANY EXCESS AMOUNT MAY BE**
5 **ISSUED UNDER TAX CREDIT CERTIFICATES IN THE NEXT TAXABLE YEAR.**

6 **(D) (1) IN THIS SECTION, "FUND" MEANS THE LICENSED PRACTICAL**
7 **NURSE AND REGISTERED NURSE PRECEPTORSHIP TAX CREDIT FUND**
8 **ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION.**

9 **(2) THERE IS A LICENSED PRACTICAL NURSE AND REGISTERED**
10 **NURSE PRECEPTORSHIP TAX CREDIT FUND.**

11 **(3) THE DEPARTMENT SHALL ADMINISTER THE FUND.**

12 **(4) THE PURPOSE OF THE FUND IS TO OFFSET THE COSTS OF THE TAX**
13 **CREDIT AVAILABLE UNDER THIS SECTION.**

14 **(5) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
15 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

16 **(6) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
17 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

18 **(7) THE FUND CONSISTS OF:**

19 **(I) FEDERAL FUNDING PROVIDED UNDER:**

20 1. **THE FEDERAL CORONAVIRUS AID, RELIEF, AND**
21 **ECONOMIC SECURITY ACT;**

22 2. **THE FEDERAL CONSOLIDATED APPROPRIATIONS**
23 **ACT, 2021; OR**

24 3. **ANY OTHER FEDERAL COVID-19 PANDEMIC RELIEF**
25 **FUNDING;**

26 **(II) MONEY APPROPRIATED IN THE STATE BUDGET TO THE**
27 **FUND; AND**

28 **(III) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED**
29 **FOR THE BENEFIT OF THE FUND.**

1 **(8) THE MONEY IN THE FUND SHALL BE INVESTED AND REINVESTED**
2 **BY THE STATE TREASURER, AND INTEREST AND EARNINGS SHALL BE CREDITED TO**
3 **THE GENERAL FUND OF THE STATE.**

4 **(9) (I) EXCEPT AS OTHERWISE PROVIDED IN THIS PARAGRAPH,**
5 **MONEY CREDITED OR APPROPRIATED TO THE FUND SHALL REMAIN IN THE FUND.**

6 **(II) 1. WITHIN 15 DAYS AFTER THE END OF EACH CALENDAR**
7 **QUARTER, THE DEPARTMENT SHALL NOTIFY THE COMPTROLLER AS TO EACH**
8 **CREDIT CERTIFICATE ISSUED DURING THE QUARTER.**

9 **2. ON NOTIFICATION THAT A CREDIT CERTIFICATE HAS**
10 **BEEN ISSUED BY THE DEPARTMENT, THE COMPTROLLER SHALL TRANSFER AN**
11 **AMOUNT EQUAL TO THE CREDIT AMOUNT STATED IN THE TAX CREDIT CERTIFICATE**
12 **FROM THE FUND TO THE GENERAL FUND OF THE STATE.**

13 **(E) ON OR BEFORE JANUARY 31 EACH TAXABLE YEAR, THE DEPARTMENT**
14 **SHALL:**

15 **(1) REPORT TO THE COMPTROLLER ON THE TAX CREDIT**
16 **CERTIFICATES ISSUED UNDER THIS SECTION DURING THE PRIOR TAXABLE YEAR;**
17 **AND**

18 **(2) REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH §**
19 **2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE UTILIZATION OF THE**
20 **CREDIT ESTABLISHED UNDER THIS SECTION.**

21 **(F) THE DEPARTMENT, IN CONSULTATION WITH THE GOVERNOR'S**
22 **WORKFORCE DEVELOPMENT BOARD, SHALL ADOPT REGULATIONS TO CARRY OUT**
23 **THE PROVISIONS OF THIS SECTION, INCLUDING THE CRITERIA AND PROCEDURES**
24 **FOR APPLICATION FOR, APPROVAL OF, AND MONITORING ELIGIBILITY FOR THE TAX**
25 **CREDIT AUTHORIZED UNDER THIS SECTION.**

26 SECTION 3. AND BE IT FURTHER ENACTED, That:

27 (a) The Maryland Department of Health shall work with the Division of
28 Workforce Development and Adult Learning in the Maryland Department of Labor to
29 convene a stakeholder workgroup to:

30 (1) study expanding the State apprenticeship programs to the health care
31 workforce; and

32 (2) make recommendations on:

1 (i) health care fields that could be best served by introducing a
2 health care apprenticeship program, including health-related fields that do not require
3 licensure or certification under the Health Occupations Article;

4 (ii) options to provide incentives to experienced health care
5 practitioners to work with health care apprentices;

6 (iii) safeguards needed to ensure the safety of the public when
7 receiving health care services from health care apprentices; ~~and~~

8 (iv) funding needed to support a health care apprenticeship program;
9 and

10 (v) nomenclature to describe apprenticeship programs for health
11 care apprentices.

12 (b) On or before December 1, 2022, the Maryland Department of Health shall
13 report the findings and recommendations of the workgroup to the Senate Education,
14 Health, and Environmental Affairs Committee and the House Health and Government
15 Operations Committee, in accordance with § 2-1257 of the State Government Article.

16 ~~SECTION 4. AND BE IT FURTHER ENACTED, That:~~

17 ~~(a) The Maryland Department of Health shall convene a stakeholder workgroup~~
18 ~~to examine how the State can implement a loan repayment assistance program for nurses~~
19 ~~and other health practitioners regulated by the State Board of Nursing to further~~
20 ~~incentivize the health practitioners to practice in professional shortage areas and medically~~
21 ~~underserved areas in the State.~~

22 ~~(b) The workgroup shall consist of the following members:~~

23 ~~(1) the Secretary of Health, or the Secretary's designee;~~

24 ~~(2) one representative of the State Board of Nursing, designated by the~~
25 ~~Executive Director of the Board;~~

26 ~~(3) one representative of the Maryland Nurses Association, designated by~~
27 ~~the President of the Association;~~

28 ~~(4) one representative of 1199 SEIU United Healthcare Workers East,~~
29 ~~designated by the President of the union;~~

30 ~~(5) one representative of the Health Facilities Association of Maryland,~~
31 ~~designated by the President of the Association;~~

32 ~~(6) one representative of the Maryland Hospital Association, designated by~~
33 ~~the President of the Association;~~

~~(7) one representative of the LifeSpan Network, designated by the President of the Network; and~~

~~(8) one representative of Leading Age Maryland, designated by the President of the union.~~

~~(e) The workgroup shall consult with the Department of Legislative Services when developing its recommendations.~~

~~(d) The workgroup shall:~~

~~(1) review nursing school debt experienced in the United States and in Maryland;~~

~~(2) examine other models for recruitment and retention of nurses and other health care practitioners regulated by the State Board of Nursing that operate in other states, including how these models are funded and how a loan repayment assistance program for the health care practitioners could be competitive with other states;~~

~~(3) examine and recommend methods to incentivize nursing and nursing worker students to commit to practicing in medically underserved areas in the State before entering an educational program or on graduation from nursing school or a program focusing on training for health care practitioners regulated by the State Board of Nursing; and~~

~~(4) investigate the availability of federal grants to further expand loan repayment and loan forgiveness for nurses and other health care practitioners regulated by the State Board of Nursing in Maryland.~~

~~(e) (1) On or before December 1, 2022, the workgroup shall submit an interim report of its findings and recommendations to the General Assembly in accordance with § 2-1257 of the State Government Article.~~

~~(2) On or before December 1, 2023, the workgroup shall submit a final report of its findings and recommendations, including recommendations on the structure of a permanent advisory council and a permanent funding structure for a loan repayment assistance program for nurses and other health care practitioners regulated by the State Board of Nursing, to the General Assembly, in accordance with § 2-1257 of the State Government Article.~~

SECTION ~~4. 5.~~ 4. AND BE IT FURTHER ENACTED, That the State Board of Nursing shall adopt the regulations required under § 8-6A-05(b)(2) of the Health Occupations Article, as enacted under Section 1 of this Act, on or before December 31, 2022.

SECTION ~~5. 6.~~ 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect ~~June~~ July 1, 2022, and shall be applicable to all taxable years beginning after

1 December 31, 2021, but before January 1, 2025. Section 2 of this Act shall remain effective
2 for a period of 3 years and, at the end of ~~May 31~~ June 30, 2025, Section 2 of this Act, with
3 no further action required by the General Assembly, shall be abrogated and of no further
4 force and effect.

5 SECTION ~~7~~ 6. AND BE IT FURTHER ENACTED, That, except as provided in
6 Section ~~6~~ 5 of this Act, this Act shall take effect June 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.