

HOUSE BILL 1105

J2

4lr3072

By: **Delegates Woods, Alston, Guzzone, J. Long, Martinez, Roberts, Simmons, Taveras, Turner, and White Holland**

Introduced and read first time: February 7, 2024

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: March 2, 2024

CHAPTER _____

1 AN ACT concerning

2 **Advanced Practice Registered Nurses – Certification Requirement and**
3 **Exceptions**

4 FOR the purpose of requiring an individual, subject to certain exceptions, to be certified as
5 an advanced practice registered nurse before practicing advanced practice registered
6 nursing in the State; and generally relating to advanced practice registered nurses.

7 BY repealing and reenacting, with amendments,
8 Article – Health Occupations
9 Section 8–301
10 Annotated Code of Maryland
11 (2021 Replacement Volume and 2023 Supplement)

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

14 **Article – Health Occupations**

15 8–301.

16 (a) Except as otherwise provided in this title, an individual shall be licensed by
17 the Board before the individual may practice registered nursing in this State.

18 (b) Except as otherwise provided in this title, an individual shall be licensed by

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.



1 the Board before the individual may practice licensed practical nursing in this State.

2 **(C) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, AN INDIVIDUAL**
3 **SHALL BE CERTIFIED AS AN ADVANCED PRACTICE REGISTERED NURSE BEFORE THE**
4 **INDIVIDUAL MAY PRACTICE ADVANCED PRACTICE REGISTERED NURSING IN THIS**
5 **STATE.**

6 **[(c)] (D)** Subsections (a) [and (b)], **(B), AND (C)** of this section do not apply to:

7 (1) A student enrolled in an approved education program while practicing
8 registered nursing or licensed practical nursing in that program;

9 **(2) A STUDENT ENROLLED IN A GRADUATE LEVEL ACCREDITED**
10 **PROGRAM FOR ADVANCED PRACTICE REGISTERED NURSING WHILE PRACTICING**
11 **ADVANCED PRACTICE REGISTERED NURSING IN THAT PROGRAM;**

12 **[(2)] (3)** An individual employed by the federal government to practice
13 registered nursing or licensed practical nursing while practicing within the scope of that
14 employment, if the individual is authorized by any state to practice registered nursing or
15 licensed practical nursing;

16 **[(3)] (4)** An individual permitted to practice registered nursing or
17 licensed practical nursing under rules and regulations adopted by the Board, if the
18 individual:

19 (i) Otherwise has qualified to practice registered nursing or licensed
20 practical nursing in any other state or country and is in this State temporarily; or

21 (ii) Has an application for a license pending before the Board:

22 1. But has not taken the examination required under this
23 title;

24 2. Has taken an examination under this title, but the results
25 of the examination are not yet known;

26 3. Has taken and passed an examination under this title, but
27 is waiting for the completion of the criminal history records check; or

28 4. Has taken and failed an examination required under this
29 title but has not failed the examination more than one time within the 120-day period
30 immediately following the submission of the application to the Board;

31 **(5) AN INDIVIDUAL PERMITTED TO PRACTICE ADVANCED PRACTICE**
32 **REGISTERED NURSING UNDER RULES AND REGULATIONS ADOPTED BY THE BOARD;**

1 **[(4)] (6)** An individual who provides gratuitous care for friends, domestic
2 partners, or family members; or

3 **[(5)] (7)** An individual who responds to a disaster situation in this State
4 to practice registered nursing or licensed practical nursing, if:

5 (i) The individual has an active unencumbered license to practice
6 registered nursing or licensed practical nursing in another state and the individual is
7 assigned by:

8 1. The American Red Cross; or

9 2. A member of the Maryland Emergency Management
10 Assistance Compact under § 14–803 of the Public Safety Article;

11 (ii) The Governor has declared a State of Emergency by Executive
12 Order or proclamation in accordance with § 3–401 of the State Government Article; and

13 (iii) The individual reports to the designated staging area in
14 accordance with § 14–803(2)(b)(5)(iv) of the Public Safety Article.

15 **[(d)] (E)** A registered nurse or licensed practical nurse in a party state to the
16 Nurse Multistate Licensure Compact shall hold a license in only one party state at a time,
17 that is issued by the home state in accordance with Subtitle 7A of this title.

18 **[(e)] (F)** A registered nurse who has been granted multistate licensing privileges
19 by a party state to the Nurse Multistate Licensure Compact set forth in Subtitle 7A of this
20 title may practice registered nursing in the State.

21 **[(f)] (G)** A licensed practical nurse who has been granted multistate licensing
22 privileges by a party state to the Nurse Multistate Licensure Compact set forth in Subtitle
23 7A of this title may practice practical nursing in the State.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.