

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE
Revised

House Bill 529

(Delegate Nathan-Pulliam, *et al.*)

Health and Government Operations

Education, Health, and Environmental Affairs

State Board of Nursing - Skilled Nursing Assistants - Establishment and Certification

This bill requires the State Board of Nursing to adopt regulations establishing categories of skilled nursing assistants in licensed nursing homes and licensed Developmental Disabilities Administration alternative living units. A skilled nursing assistant is defined as a certified nursing assistant who may perform additional tasks after successfully completing a board-approved supplemental training program. In addition to the board's nursing assistant requirements, a skilled nursing assistant must provide evidence of completing 1,000 hours of practice as a skilled nursing assistant within the specific nursing assistant category in the two years before certificate renewal.

Fiscal Summary

State Effect: The bill's requirements could be handled with existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The board must adopt regulations establishing categories of certified nursing assistants including geriatric nursing assistants, home health aides, school health aides, dialysis technicians, individuals working in Developmental Disabilities Administration facilities, and medicine aides.

A certified nursing assistant is defined as an individual who routinely performs nursing tasks delegated by a registered nurse or licensed practical nurse for compensation or who satisfies the board's criteria for waiving the requirement for successfully completing an approved nursing assistant training program. A medication assistant (a person who has completed a 16-hour board-approved medication administration course) is not considered a certified nursing assistant. A geriatric nursing assistant is defined as a certified nursing assistant who has successfully completed the requirements for geriatric nursing assistant mandated under federal law and board regulations.

Regulations also must establish the qualifications for each of these categories and qualification standards for certification applicants. To qualify for certification as a nursing assistant or a nursing assistant in a specific category, an applicant must meet the board's requirements.

A certificate expires on the twenty-eighth day of the nursing assistant's birth month, unless the certificate is renewed for a two-year term. At least three months before certificate expiration, the board must send a renewal notice to the nursing assistant. Before a certificate expires, a nursing assistant may periodically renew it for an additional term if the certificate holder is: otherwise entitled to be certified; submits a renewal application to the board; and provides satisfactory evidence of completing eight hours of active nursing assistant practice within the one-year period immediately preceding renewal or an approved nursing assistant training program. The board must renew the certificate for each nursing assistant who meets these requirements.

Background: There are 64,614 certified nursing assistants in Maryland.

The board advises that there are many routine, often labor-intensive nursing tasks that could be performed safely by certified nursing assistants if they have specialized training, experience, and supervision. Some of those tasks include: (1) treating and preventing wounds, such as skin tears in nursing home residents; (2) performing blood glucose finger sticks that are then read by a machine to check a patient's insulin level; and (3) performing gastrostomy tube feedings.

State Fiscal Effect: This bill would not have a fiscal effect on the Board of Nursing because the board would not charge an additional fee for nursing assistants seeking skilled nursing assistant certification. Existing board staff could implement the bill's requirements.

Additional Information

Prior Introductions: None.

Cross File: SB 406 (Senator Hollinger) – Education, Health, and Environmental Affairs.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - March 8, 2004
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