

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL NO. 1149
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Rudolph” and substitute “Rudolph, Frank, Elliott, and Nathan-Pulliam”; in line 2, before “Electrologists” insert “State Board of Nursing -”; in the same line, strike “Licensure” and substitute “License”; in the same line, after “Renewal” insert “and Discipline”; strike beginning with “- Rehabilitation” in line 2 down through “Letter” in line 3; strike beginning with “providing” in line 4 down through “admissible;” in line 7; in line 7, strike the second “the” and substitute “license”; strike beginning with “of” in line 7 down through “authorizing” in line 10 and substitute “for electrologists; requiring”; in line 10, after “the” insert “State”; in the same line, after “Board” insert “of Nursing”; strike beginning with “issue” in line 10 down through “electrologist” in line 19 and substitute “place a licensee on inactive status if the licensee fails to provide satisfactory evidence of compliance with certain continuing education requirements on renewal; specifying additional grounds for taking certain disciplinary actions against certain licensees and applicants subject to certain hearing requirements”; in line 19, strike “the regulation of”; strike beginning with “by” in line 19 down through “Nursing” in line 20; strike in their entirety lines 21 through 25, inclusive; and in line 28, strike “1-401(e), 8-6B-14(b), (d), and (f), and 8-6B-25(d)” and substitute “8-6B-14 and 8-6B-18(a)(26) and (27)”.

On page 2, in line 2, strike “8-6B-18.1” and substitute “8-6B-18(a)(28) and (29)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 8 through 19, inclusive; after line 20, insert:

“ (a) A license expires on a date set by the Board, unless the license is renewed for an additional term as provided in this section.”;

after line 21, insert:

(Over)

“(c) At least 1 month before the license expires, the Board shall send to the licensee, by first-class mail to the last known address of the licensee, a renewal notice that states:

(1) The date on which the current license expires;

(2) The date by which the renewal application must be received by the Board for the renewal to be issued and mailed before the license expires; and

(3) The amount of the renewal fee.”;

in line 23, strike “1-YEAR”; after line 30, insert:

“(e) In addition to any other qualifications and requirements established by the Board, the Board may establish continuing education or competency requirements as a condition to the renewal of licenses under this section.”;

and in line 31, strike “(1)”.

On page 3, strike in their entirety lines 1 through 7, inclusive, and substitute:

“(G) IF A LICENSEE FAILS TO PROVIDE SATISFACTORY EVIDENCE OF COMPLIANCE WITH ANY CONTINUING EDUCATION REQUIREMENTS SET UNDER THIS SUBTITLE FOR LICENSE RENEWAL, THE BOARD SHALL PLACE THE LICENSEE ON INACTIVE STATUS.

[(g)] (H) (1) The Board shall place a licensee on inactive status, if the licensee submits to the Board:

(i) An application for inactive status on the form required by the Board;

and

(ii) The inactive status fee set by the Board.

(2) The Board shall reactivate the license of an individual who is on inactive status, if the individual:

(i) Complies with any continuing education requirement established by the Board for this purpose;

(ii) Pays to the Board a reactivation fee set by the Board; and

(iii) Is otherwise entitled to be licensed.

(3) If the individual has been on inactive status for 5 years or more, before the Board may reactivate the license, the individual must pass an examination approved by the Board.

[(h)] (I) The Board, in accordance with its rules and regulations, shall reinstate the license of an individual who has failed to renew the license for any reason if the individual:

(1) Is otherwise entitled to be licensed;

(2) Complies with any continuing education requirement established by the Board for this purpose;

(3) Pays to the Board a reinstatement fee set by the Board; and

(4) Applies to the Board for reinstatement of the license within 5 years after the license expires.

[(i)] (J) (1) The Board may not reinstate the license of an electrologist or an electrology instructor who fails to apply for reinstatement of the license within 5 years after the license expires.

(2) The electrologist or electrology instructor may become licensed by meeting the current requirements for obtaining a new license under this subtitle.”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 8 through 31, inclusive, and substitute:

(Over)

“8-6B-18.

(a) Subject to the hearing provisions of § 8-317 of this title and § 8-6B-19 of this subtitle, the Board may deny a license to an applicant, grant a probationary license to an applicant, reprimand a licensee, place a licensee on probation, or suspend or revoke a license if the applicant or licensee:

(26) Fails to allow an inspection under § 8-6B-06(10) and (11) of this subtitle; [or]

(27) Fails to cooperate with a lawful investigation conducted by the Board;

(28) PRACTICES ELECTROLOGY WITHOUT A LICENSE BEFORE OBTAINING OR RENEWING A LICENSE, INCLUDING ANY PERIOD WHEN THE LICENSE HAS LAPSED; OR

(29) AFTER FAILING TO RENEW A LICENSE, COMMITS ANY ACT THAT WOULD BE GROUNDS FOR DISCIPLINARY ACTION UNDER THIS SECTION.”.