

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 769
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 17 down through “date” in line 19 and substitute “requiring the Board to begin a process of requiring certain criminal history records checks as a condition of certain licensure renewal and certain certificate renewal as determined by certain regulations”; in line 19, strike “requiring” and substitute “prohibiting”; and in the same line, strike “to revoke” and substitute “from issuing”.

On page 2, in line 3, strike “8-6A-05(c)(1)” and substitute “8-6A-05(c)”.

AMENDMENT NO. 2

On page 3, in line 21, after “(1)” insert “(I)”; in line 22, after “SUBTITLE;” insert “OR

(II) HAVE COMPLETED A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 8-303 OF THIS SUBTITLE THROUGH ANOTHER STATE BOARD OF NURSING WITHIN THE 5 YEARS PRECEDING THE DATE OF APPLICATION;”;

and in line 26, after “MET” insert “OR HAS BEEN MET”.

AMENDMENT NO. 3

On page 4, strike beginning with “BEGINNING” in line 19 down through “CHECK” in line 22 and substitute:

“(I) BEGINNING JANUARY 2008, THE BOARD SHALL BEGIN A PROCESS REQUIRING CRIMINAL HISTORY RECORDS CHECKS ON SELECTED ANNUAL RENEWAL APPLICANTS AS DETERMINED BY REGULATIONS ADOPTED BY THE BOARD IN ACCORDANCE WITH § 8-303 OF THIS SUBTITLE.

(Over)

(II) AN ADDITIONAL CRIMINAL HISTORY RECORDS CHECK SHALL BE PERFORMED".

On page 5, in line 12, strike "IS BEING" and substitute "HAS BEEN"; in line 15, strike "SHALL REVOKE" and substitute "MAY NOT ISSUE"; and in line 18, after "APPLICANT" insert ", CERTIFICATE HOLDER,".

AMENDMENT NO. 4

On page 5, strike beginning with "SUBMIT" in line 30 down through "(II)" in line 32.

On page 6, strike in their entirety lines 1 and 2; in lines 3, 6, 7, 8, and 10, in each instance, strike the brackets; in lines 3, 6, 7, 8, and 10, strike "(IV)", "(V)", "(VI)", "(VII)", and "(VIII)", respectively; after line 11, insert:

"(2) SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, AN APPLICANT FOR CERTIFICATION AS A CERTIFIED NURSING ASSISTANT SHALL SUBMIT TO THE BOARD:

(I) 1. A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 8-303 OF THIS TITLE; OR

2. EVIDENCE OF COMPLETION OF A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 8-303 OF THIS TITLE THROUGH ANOTHER STATE BOARD OF NURSING WITHIN THE 5 YEARS PRECEDING THE DATE OF APPLICATION; AND

(II) ON THE FORM REQUIRED BY THE BOARD, WRITTEN, VERIFIED EVIDENCE THAT THE REQUIREMENT OF ITEM (I) OF THIS PARAGRAPH IS BEING MET OR HAS BEEN MET.

[(2)] (3) An applicant for certification as a certified medicine aide, in addition to the requirements under subsection (c)(1) of this section, shall submit an additional application to that effect to the Board on the form that the Board requires.

[(3)] (4) An applicant for a certificate may not:

(i) Have committed any act or omission that would be grounds for discipline or denial of certification under this subtitle; and

(ii) Have a record of abuse, negligence, misappropriation of a resident's property, or any disciplinary action taken or pending in any other state or territory of the United States against the certification of the nursing assistant or medication technician in the state or territory.";

and in line 16, strike "A CERTIFICATE" and substitute "CERTIFICATION AS A CERTIFIED NURSING ASSISTANT".

AMENDMENT NO. 5

On page 7, strike beginning with "BEGINNING" in line 1 down through "CHECK" in line 4 and substitute:

"(I) BEGINNING JANUARY 2008, THE BOARD SHALL BEGIN A PROCESS REQUIRING CRIMINAL HISTORY RECORDS CHECKS ON SELECTED APPLICANTS FOR CERTIFICATION AS A CERTIFIED NURSING ASSISTANT WHO RENEW THEIR CERTIFICATES EVERY 2 YEARS AS DETERMINED BY REGULATIONS ADOPTED BY THE BOARD IN ACCORDANCE WITH § 8-303 OF THIS TITLE.

(II) AN ADDITIONAL CRIMINAL HISTORY RECORDS CHECK SHALL BE PERFORMED";

and in line 26, after "TITLE" insert "AS REQUIRED UNDER § 8-6A-05(C)(2) OF THIS SUBTITLE".

On pages 8 and 9, strike beginning with "BEGINNING" in line 30 on page 8 down through "CHECK" in line 2 on page 9 and substitute:

"(I) BEGINNING JANUARY 2008, THE BOARD SHALL BEGIN A PROCESS REQUIRING CRIMINAL HISTORY RECORDS CHECKS ON SELECTED ANNUAL

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RENEWAL APPLICANTS AS DETERMINED BY REGULATIONS ADOPTED BY THE BOARD IN ACCORDANCE WITH § 8-303 OF THIS TITLE.

(II) AN ADDITIONAL CRIMINAL HISTORY RECORDS CHECK SHALL BE PERFORMED".