
By: **Senator Conway**

Introduced and read first time: February 1, 2006

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 22, 2006

CHAPTER _____

1 AN ACT concerning

2 **State Board of Nursing - Electrologists - License Renewal and**
 3 **~~Rehabilitation Committee~~ Discipline**

4 FOR the purpose of altering the term for license renewal for electrologists; requiring
 5 the State Board of Nursing to place a licensee on inactive status if the licensee
 6 fails to provide satisfactory evidence of compliance with certain continuing
 7 education requirements on renewal; ~~authorizing certain electrology applicants~~
 8 ~~to receive evaluation and assistance from an electrologist rehabilitation~~
 9 ~~committee~~ specifying additional grounds for taking certain disciplinary actions
 10 against certain licensees and applicants subject to certain hearing
 11 requirements; and generally relating to electrologists.

12 BY repealing and reenacting, with amendments,
 13 Article - Health Occupations
 14 Section 8-6B-14 and ~~8-6B-25(d)~~ 8-6B-18(a)(26) and (27)
 15 Annotated Code of Maryland
 16 (2005 Replacement Volume)

17 BY adding to
 18 Article - Health Occupations
 19 Section 8-6B-18(a)(28) and (29)
 20 Annotated Code of Maryland
 21 (2005 Replacement Volume)

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

1

Article - Health Occupations

2 8-6B-14.

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

5 (b) A license may not be renewed for a term longer than [2 years] 1 YEAR.

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

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

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

12 (3) The amount of the renewal fee.

13 (d) Except as otherwise provided in this subtitle, before a license expires, the
14 licensee periodically may renew it for an additional [2-year] term, if the licensee:

15 (1) Otherwise is entitled to be licensed;

16 (2) Pays to the Board a renewal fee set by the Board; and

17 (3) Submits to the Board:

18 (i) A renewal application on the form that the Board requires; and

19 (ii) Satisfactory evidence of compliance with any continuing
20 education requirement set under this subtitle for license renewal.

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

24 (f) The Board shall renew the license of each licensee who meets the
25 requirements of this section.

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

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

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

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

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

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

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

7 (iii) Is otherwise entitled to be licensed.

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

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

14 (1) Is otherwise entitled to be licensed;

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

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

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

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

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

25 ~~8-6B-25.~~

26 ~~(d) For purposes of this section, an electrologist rehabilitation committee~~
27 ~~evaluates and provides assistance to an electrologist OR AN ELECTROLOGY~~
28 ~~APPLICANT in need of treatment and rehabilitation for alcoholism, drug abuse,~~
29 ~~chemical dependency, or other physical, emotional, or mental condition.~~

30 ~~8-6B-18.~~

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

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

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

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

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

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2006.