

HB1113/856080/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1113

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and K. Young” and substitute “K. Young, Pendergrass, Bromwell, Angel, Cullison, Hayes, Kelly, Kipke, Metzgar, Morales, Pena-Melnyk, Platt, Rosenberg, Sample-Hughes, and West”; in line 28, strike “requiring, beginning on a certain date,” and substitute “authorizing”; in line 29, strike “before practicing” and substitute “to practice”; and in line 30, after “State;” insert “providing for the application of a certain provision of this Act;”.

On page 2, in line 13, after “check;” insert “requiring the Board to consider certain factors in determining whether to grant a certification on receipt of the criminal history record information; providing that a renewal applicant is not required to complete a criminal history records check under certain circumstances; authorizing the Board to waive certain qualifications for a certain certification for an applicant who pays a certain fee, holds a certain certification or similar credential in another state under certain circumstances, and submits to a criminal history records check;”; strike beginning with “providing” in line 15 down through “worker;” in line 16; strike beginning with “prohibiting” in line 39 down through “certificate;” in line 40; and in line 47, after “circumstances;” insert “requiring that the fee for an application for a certain initial certification be a certain amount for a certain period of time; requiring the Board to set a certain application fee on or after a certain date;”.

AMENDMENT NO. 2

On page 5, in lines 24 and 25, in each instance, strike “**11**” and substitute “**15**”; in line 26, strike “**1**” and substitute “**ONE**”; and in line 28, strike “**10**” and substitute “**14**”.

(Over)

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On page 6, in line 1, strike “10” and substitute “14”; in line 2, strike “5” and substitute “SEVEN”; after line 2, insert:

**“(II) ONE SHALL BE A REGISTERED NURSE WITH EXPERIENCE
IN COMMUNITY HEALTH;**

“(III) ONE SHALL BE A LICENSED SOCIAL WORKER;”;

in lines 3, 5, 7, 9, and 11, strike “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively, and substitute “(IV)”, “(V)”, “(VI)”, “(VII)”, and “(VIII)”, respectively; and in the same lines, in each instance, strike “1” and substitute “ONE”.

On page 9, in line 28, strike “**BEGINNING OCTOBER 1, 2018, AN**” and substitute “AN”; and in the same line, strike “**SHALL**” and substitute “MAY”.

On page 10, in line 1, strike “**BEFORE THE INDIVIDUAL MAY**” and substitute “TO”; and in line 10, strike “**2018**” and substitute “2019”.

On page 11, in line 24, before “**TO**” insert “(A)”.

On page 12, after line 1, insert:

**“(B) (1) ON RECEIPT OF THE CRIMINAL HISTORY RECORD
INFORMATION OF AN APPLICANT FOR CERTIFICATION FORWARDED TO THE
BOARD IN ACCORDANCE WITH § 3.5-303 OF THIS SUBTITLE, IN DETERMINING
WHETHER TO GRANT A CERTIFICATION, THE BOARD SHALL CONSIDER:**

(I) THE AGE AT WHICH THE CRIME WAS COMMITTED;

(II) THE NATURE OF THE CRIME;

(III) THE CIRCUMSTANCES SURROUNDING THE CRIME;

(IV) THE LENGTH OF TIME THAT HAS PASSED SINCE THE
CRIME;

(V) SUBSEQUENT WORK HISTORY;

(VI) EMPLOYMENT AND CHARACTER REFERENCES; AND

(VII) ANY OTHER EVIDENCE THAT DEMONSTRATES WHETHER
THE APPLICANT POSES A THREAT TO THE PUBLIC HEALTH OR SAFETY.

(2) UNLESS OTHERWISE REQUIRED, A RENEWAL APPLICANT WHO
PREVIOUSLY HAS COMPLETED THE CRIMINAL HISTORY RECORDS CHECK AS
REQUIRED FOR THE BOARD'S APPLICATION PROCESS DOES NOT HAVE TO SUBMIT
TO A SUBSEQUENT CRIMINAL HISTORY RECORDS CHECK FOR RENEWAL OF A
CERTIFICATION.

3.5-305.

THE BOARD MAY WAIVE ANY OF THE QUALIFICATIONS FOR A
CERTIFICATION TO PRACTICE AS A COMMUNITY HEALTH WORKER UNDER THIS
TITLE FOR AN APPLICANT WHO:

(1) PAYS THE APPLICATION FEE REQUIRED BY THE BOARD UNDER
§ 3.5-206 OF THIS TITLE;

(Over)

(2) HOLDS A CURRENT CERTIFICATION OR SIMILAR CREDENTIAL TO PRACTICE AS A COMMUNITY HEALTH WORKER IN ANOTHER STATE IF THE BOARD DETERMINES THAT THE STATE HAS REQUIREMENTS FOR CERTIFICATION OR A SIMILAR CREDENTIAL THAT ARE AT LEAST EQUIVALENT TO THE REQUIREMENTS OF THIS STATE AND MEET THE PRACTICE REQUIREMENTS ESTABLISHED UNDER REGULATIONS ADOPTED BY THE BOARD; AND

(3) SUBMITS TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 3.5-303 OF THIS SUBTITLE.;

in lines 2 and 14, strike “**3.5-305.**” and “**3.5-306.**”, respectively, and substitute “**3.5-306.**” and “**3.5-307.**”, respectively; and strike in their entirety lines 12 and 13.

On page 13, in line 20, strike “**3.5-307.**” and substitute “**3.5-308.**”.

On page 15, in lines 26 and 27, strike “**3.5-308.**” and “**3.5-309**”, respectively, and substitute “**3.5-309.**” and “**3.5-310**”, respectively.

On page 17, in lines 5, 7, and 26, strike “**3.5-309.**”, “**3.5-308**”, and “**3.5-310.**”, respectively, and substitute “**3.5-310.**”, “**3.5-309**”, and “**3.5-311.**”, respectively.

On page 18, in line 1, strike “**3.5-311.**” and substitute “**3.5-312.**”; strike in their entirety lines 6 through 9, inclusive; in line 10, strike “**3.5-402.**” and substitute “**3.5-401.**”; and strike beginning with “A” in line 12 down through “**BOTH**” in line 13 and substitute “**;**”

(1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$2,000 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS; OR

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(2) FOR A SUBSEQUENT OFFENSE, A FINE NOT EXCEEDING \$6,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR".

On page 19, after line 21, insert:

"SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) The fee for an application for an initial certification to practice as a community health worker shall be \$75 beginning on October 1, 2017, through December 31, 2019.

(b) On or after January 1, 2020, the State Board of Community Health Workers shall set the fee for an application for certification in accordance with § 3.5-206(b) of the Health Occupations Article as enacted by Section 2 of this Act."

and in line 22, strike "6." and substitute "7.".