

SENATE BILL 744

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1lr2619

By: **Senator Eckardt**

Introduced and read first time: February 5, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Nursing – Certified Nursing Assistant Advisory Committee –**
3 **Membership and Meetings**

4 FOR the purpose of increasing the number of alternates that the State Board of Nursing is
5 required to appoint for certain members of the Certified Nursing Assistant Advisory
6 Committee; establishing certain qualifications for members of the advisory
7 committee; providing that, at the end of a term, a member of the advisory committee
8 continues to serve until a successor is appointed and qualified; providing that a
9 certain member of the advisory committee serves only for a certain period and until
10 a successor is appointed and qualifies; prohibiting a member of the advisory
11 committee from serving more than a certain number of terms; requiring the State
12 Board to fill a certain vacancy within a certain period of time, to the extent
13 practicable; altering the meeting requirements for the advisory committee;
14 establishing a requirement for quorum of the advisory committee; making a stylistic
15 change; and generally relating to the Certified Nursing Assistant Advisory
16 Committee.

17 BY repealing and reenacting, with amendments,
18 Article – Health Occupations
19 Section 8–6A–13
20 Annotated Code of Maryland
21 (2014 Replacement Volume and 2020 Supplement)

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

24 **Article – Health Occupations**

25 8–6A–13.

26 (a) The Board shall appoint an advisory committee consisting of at least 15

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 members.

2 (b) Of the 15 committee members:

3 (1) Six shall be nursing assistants:

4 (i) One shall be an acute care nursing assistant;

5 (ii) One shall be a home care nursing assistant;

6 (iii) One shall be a long-term care nursing assistant;

7 (iv) One shall be an adult medical day care nursing assistant;

8 (v) At least one of the nursing assistant members shall be a member
9 of a union; and

10 (vi) One shall be an independent contractor;

11 (2) Three shall be registered nurses:

12 (i) One shall be an acute care registered nurse;

13 (ii) One shall be a home care registered nurse; and

14 (iii) One shall be a long-term care registered nurse;

15 (3) One shall be an administrator from a licensed health care facility;

16 (4) One shall be a licensed practical nurse;

17 (5) One shall be an individual who teaches a nursing assistant course;

18 (6) One shall be a consumer member who has received care, or has a family
19 member who has received care from a nursing assistant;

20 (7) One shall be a representative of the Department; and

21 (8) One shall be a certified medication technician.

22 (c) The Board shall appoint an alternate for each of the [three] **SIX** nursing
23 assistant members in the event that the nursing assistant member is unable to discharge
24 the duties of the committee.

25 **(D) EACH MEMBER OF THE ADVISORY COMMITTEE MUST:**

26 **(1) BE A CITIZEN OF THE UNITED STATES;**

1 **(2) BE A RESIDENT OF THE STATE; AND**

2 **(3) HAVE PRACTICED IN THE MEMBER'S HEALTH OCCUPATION FOR**
3 **AT LEAST 5 YEARS IMMEDIATELY PRECEDING THE MEMBER'S APPOINTMENT.**

4 **[(d)] (E) (1) [An advisory committee member shall serve a] THE term of AN**
5 **ADVISORY COMMITTEE MEMBER IS 4 years.**

6 **(2) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL**
7 **A SUCCESSOR IS APPOINTED AND QUALIFIES.**

8 **(3) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES**
9 **ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND**
10 **QUALIFIES.**

11 **(4) A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE FULL**
12 **TERMS.**

13 **(5) TO THE EXTENT PRACTICABLE, THE BOARD SHALL FILL ANY**
14 **VACANCY ON THE ADVISORY COMMITTEE WITHIN 60 DAYS AFTER THE DATE OF THE**
15 **VACANCY.**

16 **[(e)] (F) (1) [The] IN ADDITION TO ANY OTHER MEETING**
17 **REQUIREMENTS UNDER THIS TITLE, THE advisory committee shall meet [at least once**
18 **a month]:**

19 **(I) AT LEAST ONCE A MONTH; AND**

20 **(II) AT THE REQUEST OF THE EXECUTIVE DIRECTOR OF THE**
21 **BOARD.**

22 **(2) A MAJORITY OF THE FULL MEMBERSHIP OF THE ADVISORY**
23 **COMMITTEE IS A QUORUM.**

24 **[(f)] (G) The advisory committee shall:**

25 **(1) Evaluate training programs and make recommendations for approval**
26 **by the Board;**

27 **(2) Develop and recommend regulations to enforce the provisions of this**
28 **subtitle;**

29 **(3) Evaluate candidates as required and recommend action to the Board;**

1 (4) Review investigations of complaints against nursing assistants or
2 medication technicians and make recommendations to the Board for disciplinary action;

3 (5) Keep a record of its proceedings; and

4 (6) Submit an annual report to the Board.

5 **[(g)] (H)** A member of the advisory committee is entitled to receive:

6 (1) Compensation, as determined by the Board; and

7 (2) Reimbursement for expenses under the Standard State Travel
8 Regulations, as provided in the State budget.

9 **[(h)** A member who is appointed after a term has begun may serve one additional
10 full term.]

11 (i) The Board may remove a member:

12 (1) For incompetence or misconduct; or

13 (2) Who is absent from two successive committee meetings without
14 adequate reason.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2021.