By: Delegate Kerr

Introduced and read first time: February 1, 2023 Assigned to: Health and Government Operations

## A BILL ENTITLED

	A TAT	ACIM	•
I	AN	AC'T	concerning
_	111	1101	COLLCCLILLING

## Certified Nursing Assistants – Licensing Requirements and Administrative Updates

- FOR the purpose of requiring a certified nursing assistant to successfully complete an approved nursing assistant training program meeting certain requirements; requiring the State Board of Nursing to provide certain notifications to geriatric nursing assistants and nursing homes regarding certain provisions of this Act; requiring the Board to update the title of geriatric nursing assistants on the renewal of a license; and generally relating to the licensing of certified nursing assistants.
- 10 BY repealing and reenacting, with amendments,
- 11 Article Health General
- 12 Section 19–1410(b)(2)(vi), 19–1410.2, and 24–1901(e)
- 13 Annotated Code of Maryland
- 14 (2019 Replacement Volume and 2022 Supplement)
- 15 BY repealing and reenacting, without amendments,
- 16 Article Health General
- 17 Section 24–1901(a)
- 18 Annotated Code of Maryland
- 19 (2019 Replacement Volume and 2022 Supplement)
- 20 BY repealing and reenacting, with amendments,
- 21 Article Health Occupations
- 22 Section 8–6A–01 and 8–6A–14
- 23 Annotated Code of Maryland
- 24 (2021 Replacement Volume and 2022 Supplement)
- 25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND.
- 26 That the Laws of Maryland read as follows:



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## Article - Health - General

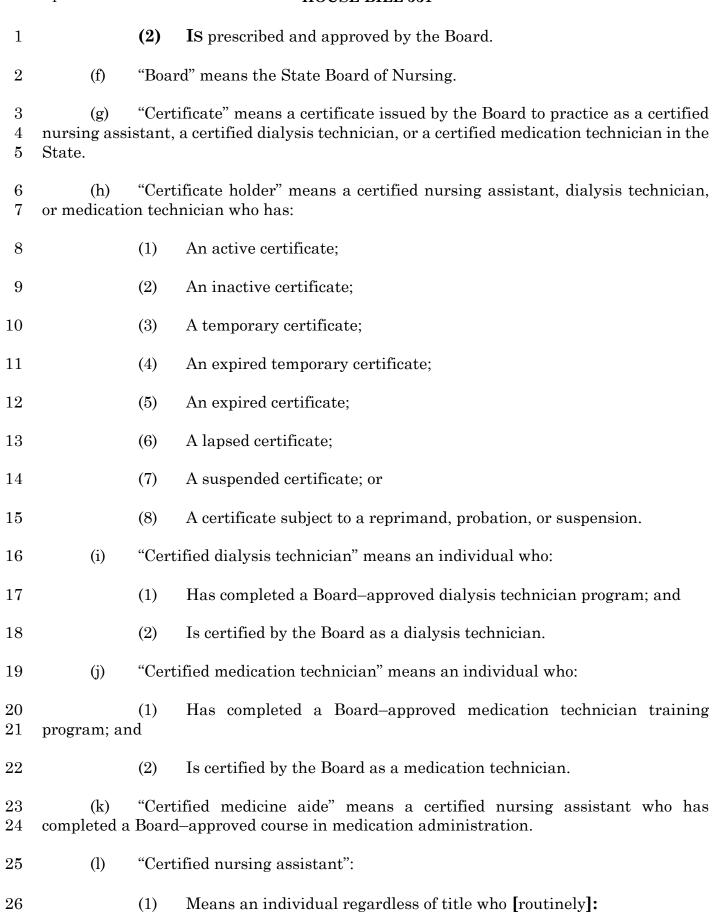
- 2 19–1410.
- 3 (b) (2) Each nursing home shall establish a quality assurance committee and 4 shall include at least the following members:
- 5 (vi) A [geriatric] CERTIFIED nursing assistant.
- 6 19–1410.2.
- 7 (a) In this section, "workplace safety" means the prevention of any physical 8 assault or threatening behavior against an employee in a nursing home.
- 9 (b) This section applies to nursing homes that are licensed for 45 beds or more.
- 10 (c) Each nursing home shall assign to an appropriate committee the task of:
- 11 (1) Conducting an annual assessment of workplace safety issues; and
- 12 (2) Making recommendations to the nursing home for reducing workplace
- 13 injuries.
- 14 (d) In conducting an annual assessment of workplace safety issues, the committee
- assigned to conduct the assessment under subsection (c)(1) of this section shall consult with
- 16 [geriatric] CERTIFIED nursing assistants and other employees of the nursing home who
- are involved in assisting residents with activities of daily living.
- 18 24–1901.
- 19 (a) In this subtitle the following words have the meanings indicated.
- 20 (e) "Nursing support staff" includes:
- 21 (1) A certified medication technician, as defined in § 8–6A–01(h) of the
- 22 Health Occupations Article;
- 23 (2) A certified medicine aide, as defined in § 8–6A–01(i) of the Health
- 24 Occupations Article; AND
- 25 (3) A certified nursing assistant, as defined in § 8–6A–01(j) of the Health
- 26 Occupations Article [; and
- 27 (4) A geriatric nursing assistant, as defined in § 8–6A–01(m) of the Health
- 28 Occupations Article].

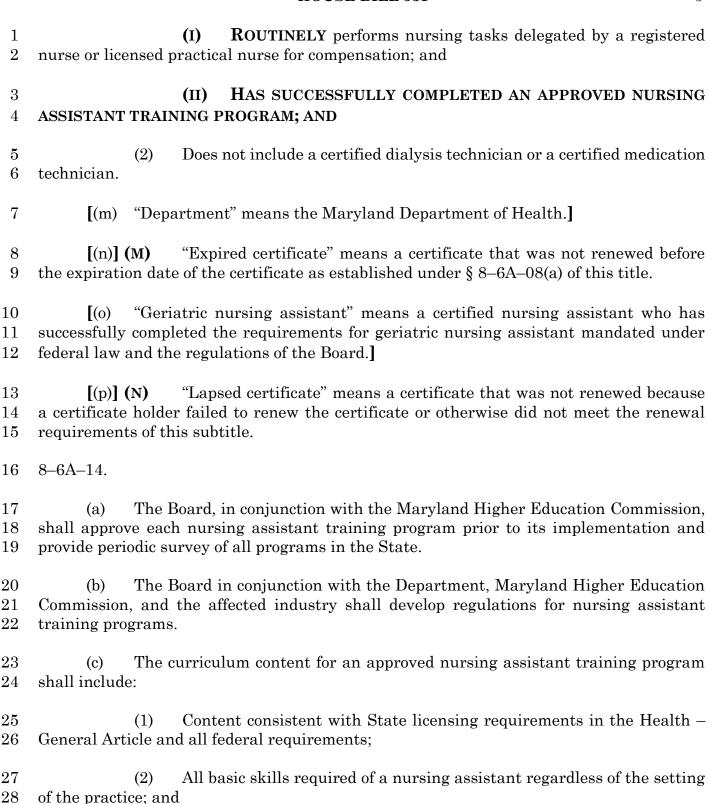
1	8–6A–01.					
2	(a)	In this subtitle the following words have the meanings indicated.				
3	(b)	"Appli	'Applicant" means, unless the context requires otherwise:			
4 5	endorsement	(1) t;	An in	ndividual applying for an initial certificate by examination or		
6		(2)	A cer	tificate holder applying for renewal of a certificate; or		
7 8	(3) An individual applying for reinstatement of a certificate in accordance with $\S$ 8–6A–10 of this subtitle.					
9 10	(c) (1) "Approved dialysis technician training program" means a course of training approved by the Board that:					
11			(i)	Prepares the applicant for national certification;		
12			(ii)	Meets the requirements of 42 C.F.R. § 494.140(e)(3); and		
13			(iii)	Meets the requirements set by the Board in regulation.		
14 15	required for	(2) nation		roved dialysis technician training program" includes the courses cification as:		
16 17	Nursing Cer	tificati	(i) on Co	A Certified Clinical Hemodialysis Technician by the Nephrology mmission;		
18 19	Certification	Organ	(ii) nizatio	A Clinical Nephrology Technician by the National Nephrology on; or		
20 21	Examiners N	Jursin	(iii) g Tech	A Certified Hemodialysis Technician by the Board of Nephrology.		
22 23 24 25	(d) "Approved medication technician training program" means a course of training approved by the Board that meets the basic medication technician core curriculum and the medication technician content training specific to the setting in which the medication technician will work.					
26	(e)	"Appr	oved 1	nursing assistant training program" means a course of training		

28 (1) MEETS the basic nursing assistant curriculum REQUIRED UNDER 29 FEDERAL AND STATE LAW; AND

27

that [meets]:





30 (d) Any additional clinical practice skills specific to a setting of practice shall be 31 taught in that setting as a part of the employment training process in that setting.

Any skills required for certification in a specific category.

29

(3)

- 1 (e) The Board may make survey visits from time to time, without prior notice, to all certified nursing assistant training programs.
- 3 (f) The provisions of this section may not be interpreted to impose additional 4 requirements for [geriatric] CERTIFIED nursing assistants beyond those required under 5 federal law.
- 6 (g) The Board shall approve the use of a nursing assistant training site by a nursing assistant training program within 45 days after the nursing assistant training program applies for approval if the nursing assistant training program had previously been approved to use the training site by the Board.
- SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2023, the State Board of Nursing shall:
- 12 (1) notify individuals who possess a nursing assistant certification with the 13 designation of geriatric nursing assistant of the licensing requirements established under 14 this Act;
- 15 (2) update, as necessary, the certification of individuals who possess a 16 nursing assistant certification with the designation of geriatric nursing assistant on 17 renewal;
- 18 (3) in consultation with the Office of Health Care Quality, update 19 regulations to conform with this Act; and
- 20 (4) in consultation with the Office of Health Care Quality, send a notice to all licensed nursing homes in the State regarding the ability to employ nursing assistants who successfully complete an approved nursing assistant training program and are certified by the Board without the designation of geriatric nursing assistant to perform delegated tasks.
- 25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 26 1, 2023.