

Chapter 371

(Senate Bill 806)

AN ACT concerning

Health Occupations – Criminal History Records Checks

FOR the purpose of establishing and altering requirements related to criminal history records checks for certain licenses and certificates issued by the State Board of Acupuncture, the State Board of Dental Examiners, the State Board of Dietetic Practice, the State Board of Morticians and Funeral Directors, the State Board of Nursing, the State Board of Examiners in Optometry, the State Board of Pharmacy, the State Board of Physical Therapy Examiners, the State Board of Podiatric Medical Examiners, the State Board of Examiners of Psychologists, the State Board of Environmental Health Specialists, and the State Board for Certification of Residential Child Care Program Professionals; and generally relating to health occupations and criminal history records checks.

BY repealing and reenacting, without amendments,
 Article – Health Occupations
 Section 1A–302(a)
 Annotated Code of Maryland
 (2021 Replacement Volume and 2025 Supplement)

BY adding to
 Article – Health Occupations
 Section 1A–302(b)(4), 1A–302.1, 4–302.2, 4–307(d), 4–310(d), 4–315(a)(39) and (c)(21), 4–505(e) and (h), 5–302.1, 5–308(f), 8–302.2, 11–308(d), 12–302(d), 12–302.1, 12–308(d), 12–6B–02.1, 13–311(e), 21–302.1, and 21–310(d) and (e)
 Annotated Code of Maryland
 (2021 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,
 Article – Health Occupations
 Section 1A–302(b)(4) and (5), 1A–306(c), 1A–307(c), 4–302, 4–304(a), 4–311, 4–315(a)(37) and (38) and (c)(19) and (20), 4–505(e) and (f), 5–302(d), 5–303(a), 5–309(a) and (b), 5–311, 7–301.1(c), 8–303, 8–6A–05(c), 8–6A–08(b) and (l)(1), 11–308(d) and (e), 11–310, 12–302(d) through (g), 12–303(a), 12–306, 12–308(d), 12–310(b), 12–6C–05.1(a), 12–6C–06(b), 12–6D–03(b) and (c), 12–6D–04, 13–302.1, 13–311(e), 16–302.1, 18–302.1, 20–303(b), 21–302, 21–307, 21–309(c), and 21–315
 Annotated Code of Maryland
 (2021 Replacement Volume and 2025 Supplement)

BY repealing
 Article – Health Occupations

Section 18–309(h)
Annotated Code of Maryland
(2021 Replacement Volume and 2025 Supplement)

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

Article – Health Occupations

1A–302.

(a) To qualify for a license, an applicant shall be an individual who meets the requirements of this section.

(b) The applicant shall:

(4) BEGINNING JULY 1, 2027, SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 1A–302.1 OF THIS SUBTITLE;

[(4)] (5) Demonstrate the ability to communicate in the English language; and

[(5)] (6) Meet any other qualifications that the Board establishes in regulations.

1A–302.1.

(A) IN THIS SECTION, “CENTRAL REPOSITORY” MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(B) AN APPLICANT SHALL APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(C) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY RECORDS CHECK, AN APPLICANT SHALL COMPLETE AND SUBMIT TO THE CENTRAL REPOSITORY:

(1) A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

(2) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

(3) THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(D) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE BOARD AND THE INDIVIDUAL THE INDIVIDUAL'S CRIMINAL HISTORY RECORD INFORMATION.

(E) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SECTION:

(1) IS CONFIDENTIAL;

(2) MAY NOT BE REDISSEMINATED; AND

(3) MAY BE USED ONLY FOR THE LICENSING PURPOSE AUTHORIZED BY THIS TITLE.

(F) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SECTION MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10-223 OF THE CRIMINAL PROCEDURE ARTICLE.

(G) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE INDIVIDUAL.

1A-306.

(c) Before the license expires, the licensee periodically may renew it for an additional term, if the licensee:

(1) Otherwise is entitled to be licensed;

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

(3) Submits to the Board:

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

(ii) Satisfactory evidence of compliance with any continuing education requirements set under this section for license renewal; **AND**

(III) FOR INDIVIDUALS LICENSED BEFORE JANUARY 1, 2028, SATISFACTORY EVIDENCE OF A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 1A-302.1 OF THIS SUBTITLE FOR THE LICENSEE'S FIRST RENEWAL AFTER JANUARY 1, 2028.

1A-307.

(c) The Board may reinstate the license of a former licensee who has failed to renew the license for any reason if the former licensee:

(1) Meets the continuing education requirements of § 1A-306 of this subtitle for each year that the license has lapsed;

(2) Applies for reinstatement more than 30 days after the license renewal deadline;

(3) Submits to the Board an application for reinstatement on the form required by the Board; [and]

(4) Pays to the Board a reinstatement fee and a renewal fee set by the Board; **AND**

(5) SUBMITS TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 1A-302.1 OF THIS SUBTITLE.

4-302.

(a) Except as otherwise provided in this title, to qualify for a license, an applicant shall be an individual who meets the requirements of this section.

(b) The applicant shall be of good moral character.

(c) To qualify for a license to practice dentistry, the applicant shall be at least 18 years old.

(D) THE APPLICANT SHALL SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 4-302.2 OF THIS SUBTITLE.

[(d)] (E) Unless waived by the Board under §§ 4-303 and 4-303.1 of this subtitle, and except as provided in § 4-306.1 of this subtitle, to qualify for a license to practice

dentistry, the applicant shall hold a degree of Doctor of Dental Surgery, Doctor of Dental Medicine, or the equivalent, from a college or university that is:

(1) Authorized by any state or any province of Canada to grant the degree;
and

(2) Recognized by the Board as requiring adequate preprofessional collegiate training and as maintaining an acceptable course of dental instruction.

[(e)] (F) To qualify for a license to practice dental hygiene, the applicant shall be a graduate of a school for dental hygienists that:

(1) Requires at least 2 years of education in an institution of higher education;

(2) Is accredited by the American Dental Association Commission on Dental Accreditation; and

(3) Is approved by the Board.

[(f)] (G) (1) Unless the examination requirement is waived under § 4–306 or § 4–310 of this subtitle, and except as provided in § 4–303.1 of this subtitle, to qualify for a general license to practice dentistry or a general license to practice dental hygiene, the applicant shall pass an examination given by the Board under this subtitle.

(2) An examination is not required for a teacher’s license to practice dentistry, a limited license to practice dentistry, or a teacher’s license to practice dental hygiene.

[(g)] (H) In addition to the requirements of subsections (a), (b), (c), **[and]** (d), **AND (E)** of this section, to qualify for a teacher’s license to practice dentistry, the applicant shall:

(1) Be licensed to practice dentistry in any other state;

(2) Have been active in the dental profession for at least 5 years;

(3) Be a full–time or part–time faculty member at a college or university where the applicant teaches a subject required by the dental school of that college or university; and

(4) If the applicant is engaged in a teaching area that is designated as a specialty by the National Commission on Recognition of Dental Specialties and Certifying Boards, meet the requirements established by the National Commission on Recognition of Dental Specialties and Certifying Boards for that specialty.

[(h)] (I) In addition to the requirements of subsections (a), (b), **[and (e)] (D), AND (F)** of this section, to qualify for a teacher's license to practice dental hygiene, the applicant shall:

- (1) Be licensed to practice dental hygiene in any other state;
- (2) Have been active as a dental hygienist for at least 5 years before applying for the teacher's license to practice dental hygiene; and
- (3) Be a full-time or part-time faculty member at a dental school where the applicant teaches a subject required by that school.

[(i)] (J) In addition to the requirements of subsections (a), (b), (c), **[and] (d), AND (E)** of this section, to qualify for a retired volunteer dentist's license to practice dentistry, the applicant shall:

- (1) Have had a general license to practice dentistry issued under this title within the last 2 years;
- (2) Complete the continuing education requirements that the Board establishes for a general license; and
- (3) Provide dental services as required under § 4-308(c) of this subtitle.

[(j)] (K) In addition to the requirements of subsections (a), (b), **[and (e)] (D), AND (F)** of this section, to qualify for a retired dental hygienist's license to practice dental hygiene, the applicant shall:

- (1) Have had a general license to practice dental hygiene under this title within the last 2 years;
- (2) Complete the continuing education requirements that the Board establishes for a general license; and
- (3) Provide dental hygiene services as required under § 4-308(g) of this subtitle.

[(k)] (L) In addition to the requirements of subsections (a), (b), (c), **[and] (d), AND (E)** of this section, to qualify for a volunteer dentist's license to practice dentistry, the applicant shall:

- (1) Satisfy the requirements of § 4-306(b)(1) and (d)(2) of this subtitle;
- (2) Hold an active license to practice dentistry in another state or in the District of Columbia;

(3) Complete the continuing education requirements that the Board establishes for a general license;

(4) Provide dental services exclusively in the manner described in § 4–308(c) of this subtitle; and

(5) Immediately upon ceasing to provide services exclusively in the manner described in § 4–308(c) of this subtitle, surrender the volunteer license to the Board.

[(l)] (M) In addition to the requirements of subsections (a), (b), (c), **(D)**, and **[(e)] (F)** of this section, to qualify for a volunteer dental hygienist’s license to practice dental hygiene, an applicant shall:

(1) Satisfy the requirements of § 4–306(b)(2) and (e)(2) of this subtitle;

(2) Hold an active license to practice dental hygiene in another state or in the District of Columbia;

(3) Complete the continuing education requirements that the Board establishes for a general license;

(4) Provide dental hygiene services exclusively in the manner described in § 4–308(g) of this subtitle; and

(5) Immediately upon ceasing to provide services exclusively in the manner described in § 4–308(g) of this subtitle, surrender the volunteer license to the Board.

[(m)] (N) To qualify for a limited license to practice dentistry, the applicant shall meet the requirements set forth in subsections (a), (b), (c), **[and] (d), AND (E)** of this section.

4–302.2.

(A) IN THIS SECTION, “CENTRAL REPOSITORY” MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(B) AN APPLICANT SHALL APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(C) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY RECORDS CHECK, AN APPLICANT SHALL COMPLETE AND SUBMIT TO THE CENTRAL REPOSITORY:

(1) A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

(2) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

(3) THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(D) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE BOARD AND THE INDIVIDUAL THE INDIVIDUAL'S CRIMINAL HISTORY RECORD INFORMATION.

(E) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SECTION:

(1) IS CONFIDENTIAL;

(2) MAY NOT BE REDISSEMINATED; AND

(3) MAY BE USED ONLY FOR THE LICENSING PURPOSE AUTHORIZED BY THIS TITLE.

(F) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SECTION MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10-223 OF THE CRIMINAL PROCEDURE ARTICLE.

(G) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE INDIVIDUAL.

(H) ON RECEIPT OF THE CRIMINAL HISTORY RECORD INFORMATION OF AN APPLICANT FOR LICENSURE OR CERTIFICATION FORWARDED TO THE BOARD IN ACCORDANCE WITH THIS SECTION, IN DETERMINING WHETHER TO GRANT A LICENSE OR CERTIFICATE, THE BOARD SHALL CONSIDER:

- (1) THE AGE AT WHICH THE CRIME WAS COMMITTED;**
- (2) THE CIRCUMSTANCES SURROUNDING THE CRIME;**
- (3) THE LENGTH OF TIME THAT HAS PASSED SINCE THE CRIME;**
- (4) SUBSEQUENT WORK HISTORY;**
- (5) EMPLOYMENT AND CHARACTER REFERENCES; AND**
- (6) OTHER EVIDENCE THAT DEMONSTRATES WHETHER THE APPLICANT POSES A THREAT TO THE PUBLIC HEALTH OR SAFETY.**

4-304.

- (a) To apply for a license, an applicant shall:

- (1) Submit an application to the Board on the form that the Board requires;
[and]
- (2) SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 4-302.2 OF THIS SUBTITLE; AND**
- (3) Pay to the Board an application fee set by the Board.**

4-307.

(D) THE BOARD MAY NOT ISSUE A LICENSE IF THE CRIMINAL HISTORY RECORD INFORMATION REQUIRED UNDER § 4-302.2 OF THIS SUBTITLE HAS NOT BEEN RECEIVED.

4-310.

(D) THE BOARD MAY NOT ISSUE A LICENSE IF THE CRIMINAL HISTORY RECORD INFORMATION REQUIRED UNDER § 4-302.2 OF THIS SUBTITLE HAS NOT BEEN RECEIVED.

4-311.

(A) The Board shall reinstate a general license to practice dentistry, a teacher's license to practice dentistry, a general license to practice dental hygiene, or a teacher's license to practice dental hygiene that is expired only if the licensee:

(1) Meets the renewal and reinstatement requirements set by rule and regulation of the Board; and

(2) Pays to the Board a reinstatement fee set by the Board.

(B) (1) BEGINNING OCTOBER 1, 2027, THE BOARD SHALL REQUIRE A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 4-302.2 OF THIS SUBTITLE FOR:

(I) LICENSE RENEWAL APPLICANTS AS DETERMINED BY REGULATIONS ADOPTED BY THE BOARD; AND

(II) EACH FORMER LICENSEE WHO FILES FOR REINSTATEMENT AFTER FAILING TO RENEW A LICENSE.

(2) THE BOARD MAY NOT RENEW OR REINSTATE A LICENSE IF THE CRIMINAL HISTORY RECORD INFORMATION REQUIRED UNDER § 4-302.2 OF THIS SUBTITLE HAS NOT BEEN RECEIVED.

4-315.

(a) Subject to the hearing provisions of § 4-318 of this subtitle, the Board may deny a general license to practice dentistry, a limited license to practice dentistry, or a teacher's license to practice dentistry to any applicant, reprimand any licensed dentist, place any licensed dentist on probation, or suspend or revoke the license of any licensed dentist, if the applicant or licensee:

(37) Accepts or tenders rebates or splits fees in violation of § 4-103(c) of this title; [or]

(38) Allows a dental assistant to assist in the practice of dentistry:

(i) In an unauthorized manner in violation of this title or regulations adopted by the Board;

(ii) Without specifically instructing the certified dental assistant to perform an intraoral procedure that the certified dental assistant is authorized to perform; or

(iii) Failing to provide direct supervision of a dental assistant; **OR**

(39) FAILS TO SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 4-302.2 OF THIS SUBTITLE.

(c) Subject to the hearing provisions of § 4–318 of this subtitle, the Board may deny a general license to practice dental hygiene, a teacher’s license to practice dental hygiene, or a temporary license to practice dental hygiene to any applicant, reprimand any licensed dental hygienist, place any licensed dental hygienist on probation, or suspend or revoke the license of any licensed dental hygienist, if the applicant or licensee:

(19) Fails to comply with any Board order; [or]

(20) Willfully and without legal justification, fails to cooperate with a lawful investigation conducted by the Board; **OR**

(21) FAILS TO SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 4–302.2 OF THIS SUBTITLE.

4–505.

(E) AN APPLICANT FOR A CERTIFICATE TO PRACTICE AS A DENTAL RADIATION TECHNOLOGIST SHALL SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 4–302.2 OF THIS SUBTITLE.

[(e)] **(F)** At least 1 month before a certificate expires, the Board shall send to each certificate holder, by electronic means or first–class mail to the last known electronic or physical address of the certificate holder, a renewal notice that states:

(1) The date on which the current certificate expires;

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

(3) The amount of the renewal fee.

[(f)] **(G)** An individual may be simultaneously certified as a dental radiation technologist under this section and as an expanded function dental assistant.

(H) (1) BEGINNING OCTOBER 1, 2027, THE BOARD SHALL REQUIRE A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 4–302.2 OF THIS SUBTITLE FOR:

(I) CERTIFICATE RENEWAL APPLICANTS AS DETERMINED BY REGULATIONS ADOPTED BY THE BOARD; AND

(II) EACH FORMER CERTIFICATE HOLDER WHO FILES FOR REINSTATEMENT AFTER FAILING TO RENEW A CERTIFICATE.

(2) THE BOARD MAY NOT RENEW OR REINSTATE A CERTIFICATE IF THE CRIMINAL HISTORY RECORD INFORMATION REQUIRED UNDER § 4-302.2 OF THIS SUBTITLE HAS NOT BEEN RECEIVED.

5-302.

(d) The applicant for licensure as a dietitian–nutritionist shall:

(1) (i) 1. Have satisfactorily completed academic requirements for the field of dietetics as approved by the Board; and

2. Have received at a minimum a baccalaureate degree from a college or university accredited by an educational accrediting association as required by the Commission on Dietetic Registration; or

(ii) Have received a master’s or doctoral degree from a college or university accredited by an educational accrediting association recognized by the Council on Higher Education and Accreditation in nutritional sciences (with emphasis in human nutrition), food and nutrition, dietetics, human nutrition, community nutrition, public health nutrition, or equivalent training approved by the Board;

(2) Have satisfactorily completed a program of supervised clinical experience approved by the Board; [and]

(3) (i) Submit to the Board proof of certification by the Board for Certification of Nutrition Specialists; or

(ii) Submit to the Board proof of registration as a dietitian with the Commission on Dietetic Registration of the Academy of Nutrition and Dietetics; AND

(4) BEGINNING JULY 1, 2027, SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 5-302.1 OF THIS SUBTITLE.

5-302.1.

(A) IN THIS SECTION, “CENTRAL REPOSITORY” MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(B) AN APPLICANT SHALL APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(C) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY RECORDS CHECK, AN APPLICANT SHALL COMPLETE AND SUBMIT TO THE CENTRAL REPOSITORY:

(1) A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

(2) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

(3) THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(D) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE BOARD AND THE INDIVIDUAL THE INDIVIDUAL'S CRIMINAL HISTORY RECORD INFORMATION.

(E) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SECTION:

(1) IS CONFIDENTIAL;

(2) MAY NOT BE REDISSEMINATED; AND

(3) MAY BE USED ONLY FOR THE LICENSING PURPOSE AUTHORIZED BY THIS TITLE.

(F) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SECTION MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10-223 OF THE CRIMINAL PROCEDURE ARTICLE.

(G) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE INDIVIDUAL.

(a) An applicant for a license shall:

- (1) Submit an application to the Board on the form that the Board requires;
- (2) Pay the application fee set by the Board; [and]
- (3) Provide proof of passing an examination approved by the Board; AND

(4) BEGINNING JULY 1, 2027, SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 5-302.1 OF THIS SUBTITLE.

5-308.

(F) AN INDIVIDUAL LICENSED BEFORE JULY 1, 2027, SHALL PROVIDE SATISFACTORY EVIDENCE OF A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 5-302.1 OF THIS TITLE FOR THE LICENSEE'S FIRST RENEWAL AFTER JANUARY 1, 2028.

5-309.

(a) (1) The Board shall place a licensee on inactive status if the licensee:

(i) Submits to the Board an application for inactive status on the form required by the Board; and

(ii) Pays to the Board the inactive status fee set by the Board.

(2) The Board shall reactivate the license of an individual placed on inactive status if the individual:

(i) Satisfies the continuing education requirements established by the Board; [and]

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

(III) SUBMITS TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 5-302.1 OF THIS SUBTITLE.

(b) The Board, in accordance with its regulations, shall reinstate the license of an individual who failed to renew a license for any reason if the individual:

(1) Otherwise is entitled to be licensed;

(2) Satisfies the continuing education requirements established by the Board;

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

(4) Applies to the Board for reinstatement of a license within 5 years after the expiration of the license; AND

(5) SUBMITS TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 5-302.1 OF THIS SUBTITLE.

5-311.

Subject to the hearing provisions of § 5-312 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if the applicant or licensee:

(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;

(2) Fraudulently or deceptively uses a license;

(3) Violates any provision of this title or any regulations adopted under this title;

(4) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional service for which the licensee is licensed and qualified to render because the individual is HIV positive;

(5) Commits fraud or deceit in the practice of dietetics;

(6) Is convicted of or pleads nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;

(7) Obtains or attempts to obtain a fee through fraud or misrepresentation;

(8) Employs any [person] **INDIVIDUAL** to practice dietetics whose license or certificate to practice a health occupation under this article has been suspended;

(9) Uses or promotes or causes the use of any misleading, deceiving, or untruthful advertising matter, or promotional literature, testimonial, guarantee, warranty, label, brand, insignia, or other representation;

(10) Commits any act of unprofessional conduct, as defined by the rules and regulations of the Board, or violates the code of ethics adopted by the Board;

(11) Provides professional services while:

(i) Under the influence of alcohol; or

(ii) Using any narcotic or controlled dangerous substance, as defined in § 5–101 of the Criminal Law Article, or other drug that is in excess of therapeutic amounts or without valid medical indication;

(12) Is disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any other state or country for an act that would be grounds for disciplinary action under this section;

(13) Practices dietetics with an unauthorized [person] **INDIVIDUAL** or supervises or aids an unauthorized [person] **INDIVIDUAL** in the practice of dietetics;

(14) Fails to file or record any report or record as required by law in the practice of dietetics, impedes or obstructs the filing or recording of the report or record, or induces another to fail to file or record the report or record;

(15) Submits a false statement to collect a fee;

(16) Is professionally, physically, or mentally incompetent;

(17) Promotes the sale of devices, appliances, or goods to a patient so as to exploit the patient for financial gain; [or]

(18) Fails to cooperate with a lawful investigation conducted by the Board;

OR

(19) FAILS TO SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 5–302.1 OF THIS SUBTITLE.

7–301.1.

(c) (1) In this subsection, “Central Repository” means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.

(2) As part of an application to the Central Repository for a State and national criminal history records check, an applicant shall submit to the Central Repository:

(i) A complete set of legible fingerprints taken [on forms] **IN A FORMAT** approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation;

(ii) The fee authorized under § 10–221(b)(7) of the Criminal Procedure Article for access to [State] **MARYLAND** criminal history records; and

(iii) The **MANDATORY** processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

(3) In accordance with §§ 10–201 through [10–228] **10–229** of the Criminal Procedure Article, the Central Repository shall forward to the Board and the applicant the criminal history record information of the applicant.

(4) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SUBSECTION:

(I) IS CONFIDENTIAL;

(II) MAY NOT BE REDISSEMINATED; AND

(III) MAY BE USED ONLY FOR THE LICENSING PURPOSE AUTHORIZED BY THIS TITLE.

[(4)] **(5)** If an applicant has made three or more unsuccessful attempts at securing legible fingerprints, the Board may accept an alternate method of a criminal history records check as allowed by the Director of the Central Repository and the Director of the Federal Bureau of Investigation.

[(5)] **(6)** The subject of a criminal history records check under this section may contest the contents of the printed statement issued by the Central Repository as provided in § 10–223 of the Criminal Procedure Article.

(7) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE INDIVIDUAL.

8–302.2.

THE BOARD SHALL REQUIRE A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 8–303 OF THIS SUBTITLE FOR:

(1) APPLICANTS FOR CERTIFICATION AS A FORENSIC NURSE EXAMINER;

(2) APPLICANTS FOR CERTIFICATION AS A WORKERS' COMPENSATION CASE MANAGER;

(3) SELECTED ANNUAL RENEWAL APPLICANTS FOR CERTIFICATION AS A FORENSIC NURSE EXAMINER OR WORKERS' COMPENSATION CASE MANAGER, AS REQUIRED BY REGULATIONS ADOPTED BY THE BOARD; AND

(4) APPLICANTS FOR REINSTATEMENT AS A CERTIFIED FORENSIC NURSE EXAMINER OR WORKERS' COMPENSATION CASE MANAGER, IF THE APPLICANT FILES FOR REINSTATEMENT AFTER FAILING TO RENEW THE CERTIFICATION FOR A PERIOD OF 1 YEAR OR MORE.

8-303.

(a) In this section, "Central Repository" means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.

(b) As part of an application to the Central Repository for a State and national criminal history records check, an applicant shall submit to the Central Repository:

(1) [Two complete sets] **A COMPLETE SET** of legible fingerprints taken [on forms] **IN A FORMAT** approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation;

(2) The fee authorized under § 10-221(b)(7) of the Criminal Procedure Article for access to [State] **MARYLAND** criminal history records; and

(3) The **MANDATORY** processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

(c) In accordance with §§ 10-201 through [10-228] **10-229** of the Criminal Procedure Article, the Central Repository shall forward to the Board and to the applicant the criminal history record information of the applicant.

(d) (1) If criminal history record information is reported to the Central Repository after the date of the initial criminal history records check, the Central Repository shall provide to the Board a revised printed statement of the individual's State criminal history record.

(2) The Board shall notify each applicant that:

(i) The applicant's fingerprints will be retained by the Central Repository; and

(ii) All new and additional criminal information will be reported to the Board.

(3) The Board may enter into an agreement with the Central Repository and the Federal Bureau of Investigation to carry out this subsection.

(e) If an applicant has made two or more unsuccessful attempts at securing legible fingerprints, the Board may accept an alternate method of criminal history records check as permitted by the Director of the Central Repository and the Director of the Federal Bureau of Investigation.

(f) Information obtained from the Central Repository under this section [shall be]:

(1) [Confidential and may] **IS CONFIDENTIAL;**

(2) MAY not be disseminated; and

[(2)] (3) [Used] MAY BE USED only for the licensing purpose authorized by this title.

(g) The subject of a criminal history records check under this section may contest the contents of the printed statement issued by the Central Repository as provided in § 10–223 of the Criminal Procedure Article.

8–6A–05.

(c) (1) An applicant for a certificate shall:

(i) Submit [an application to the Board on the form that the Board requires] **TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 8–303 OF THIS TITLE;**

(II) SUBMIT TO THE BOARD:

1. AN APPLICATION TO THE BOARD ON THE FORM THAT THE BOARD REQUIRES; AND

2. WRITTEN VERIFICATION THAT THE REQUIREMENT IN ITEM (I) OF THIS PARAGRAPH IS BEING OR HAS BEEN MET;

[(ii)] (III) Provide evidence, as required by the Board, of successful completion of:

1. An approved nursing assistant training program or approved acute care nursing assistant training program;
2. An approved dialysis technician training program;
3. An approved course in medication administration; or
4. A portion of an approved nursing education program that the Board determines meets the requirements of an approved nursing assistant training program or medication administration course;

~~[(iii)] (IV)~~ Pay to the Board an application fee set by the Board;

~~[(iv)] (V)~~ Be of good moral character;

~~[(v)] (VI)~~ Be at least 16 years old to apply for certification as a nursing assistant;

~~[(vi)] (VII)~~ Be at least 18 years old to apply for certification as a dialysis technician; and

~~[(vii)] (VIII)~~ Be at least 18 years old to apply for certification as a medication technician.

~~[(2)]~~ Subject to paragraph (1) of this subsection, an applicant for certification as a certified nursing assistant or dialysis technician shall submit to the Board:

(i) A criminal history records check in accordance with § 8–303 of this title and § 8–6A–08(k) of this subtitle; 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.]

~~[(3)] (2)~~ (i) An applicant for certification as a certified nursing assistant shall submit to the Board satisfactory evidence of passing a nursing assistant competency evaluation.

(ii) An applicant who has completed an approved acute care nursing assistant training program shall be deemed to have fulfilled the classroom and clinical standards to sit for the nursing assistant competency evaluation.

~~[(4)] (3)~~ 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.

~~[(5)]~~ (4) Beginning October 1, 2025, a certified nursing assistant–II may be certified as a certified nursing assistant–I by:

(i) Submitting an application to the Board on the form that the Board requires; and

(ii) Providing satisfactory evidence of:

1. Successful completion of an approved nursing assistant training program; and

2. Passing a nursing assistant competency evaluation.

8–6A–08.

(b) (1) At least 3 months before a certificate expires, the Board shall send a renewal notice to the certificate holder by:

(i) First–class mail to the last known mailing address of the certificate holder; or

(ii) Electronic means to the last known electronic address of the certificate holder.

(2) A renewal notice shall state:

(i) The date on which the current certificate expires;

(ii) The date by which the renewal application must be received by the Board for the renewal to be issued and mailed before the certificate expires; and

(iii) The amount of the renewal fee.

(3) If a **[nursing assistant or dialysis technician] CERTIFICATE HOLDER** is required to have a criminal history records check before a certificate may be renewed, the Board shall send the **[nursing assistant or dialysis technician] CERTIFICATE HOLDER** the documents necessary for initiating the criminal history records check in conjunction with the renewal notice required under paragraph (1) of this subsection.

(l) (1) (i) The Board shall require criminal history records checks in accordance with § 8–303 of this title on:

1. Selected applicants for certification as a certified nursing assistant, **MEDICATION TECHNICIAN**, or dialysis technician who renew their certificates every 2 years as determined by regulations adopted by the Board; and

2. Each former certified nursing assistant, **MEDICATION TECHNICIAN**, or dialysis technician who files for reinstatement under subsection (h) of this section after failing to renew the certificate for a period of 1 year or more.

(ii) An additional criminal history records check shall be performed every 12 years thereafter.

11–308.

(D) (1) BEGINNING AUGUST 1, 2026, THE BOARD SHALL REQUIRE A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 11–302.1 OF THIS SUBTITLE FOR:

(I) LICENSE RENEWAL APPLICANTS AS DETERMINED BY REGULATIONS ADOPTED BY THE BOARD; AND

(II) EACH FORMER LICENSEE WHO FILES FOR REINSTATEMENT AFTER FAILING TO RENEW A LICENSE.

(2) THE BOARD MAY NOT RENEW OR REINSTATE A LICENSE IF THE CRIMINAL HISTORY RECORD INFORMATION REQUIRED UNDER § 11–302.1 OF THIS SUBTITLE HAS NOT BEEN RECEIVED.

[(d)] (E) The Board shall renew the license of and issue a renewal certificate to each licensee who meets the requirements of this section.

[(e)] (F) If an optometrist does not renew a license before its expiration date, the Board shall send to the optometrist a notice stating that the license will expire 30 days after the notice is sent unless the optometrist applies for renewal within the grace period.

11–310.

(a) (1) The Board shall place a licensee on inactive status, if the licensee submits to the Board:

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

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

(2) The Board shall issue a license to an individual who is on inactive status if the individual:

(i) Meets any continuing education requirements set by the Board;
[and]

(ii) Pays to the Board the reinstatement fee set by the Board; AND

(III) SUBMITS TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 11-302.1 OF THIS SUBTITLE.

(b) The Board may reinstate the license of an optometrist whose license has been expired for less than 5 years and who has not been put on inactive status, if the optometrist:

(1) Has met the continuing education requirements set by the Board;

(2) Meets the renewal requirements of § 11-308 of this subtitle; [and]

(3) Pays to the Board the reinstatement fee set by the Board; AND

(4) SUBMITS TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 11-302.1 OF THIS SUBTITLE.

(c) The Board may not reinstate the license of an optometrist whose license has been expired for 5 years or more and who has not been put on inactive status, unless the optometrist:

(1) Passes [an] ALL PARTS OF ANY examination [administered] REQUIRED by the Board; [and]

(2) SUBMITS TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 11-302.1 OF THIS SUBTITLE; AND

[(2)] (3) Otherwise meets the requirements of subsection (b) of this section.

(D) THE BOARD MAY REACTIVATE A LICENSEE ON INACTIVE STATUS ONLY IF THE LICENSEE ATTESTS THAT THE LICENSEE HAS SUBMITTED TO A CRIMINAL HISTORY RECORDS CHECK UNDER § 11-302.1 OF THIS SUBTITLE.

12-302.

(D) THE APPLICANT SHALL SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 12-302.1 OF THIS SUBTITLE.

[(d)] (E) The applicant shall:

- (1) Be a graduate of a school or college of pharmacy that is approved by the Board or accredited by the American Council on Pharmaceutical Education; and
- (2) Have completed the professional experience program that the Board requires.

[(e)] (F) Except as otherwise provided in this title, the applicant shall pass an examination given by the Board under this subtitle.

[(f)] (G) (1) In this subsection, “foreign school or college of pharmacy” means a school or college of pharmacy that is not located in any state in the United States.

(2) The Board may waive the requirements of subsection **[(d)(1)] (E)(1)** of this section for an applicant who is a graduate of a foreign school or college of pharmacy, provided that the applicant passes an examination approved by the Board in addition to the examinations otherwise given by the Board under this subtitle.

[(g)] (H) (1) Except as otherwise provided in this subsection, the Board shall require, as part of its examination or licensing procedures, an applicant for a license to practice pharmacy to demonstrate an oral competency in the English language by passing a Board approved standardized test of oral competency.

(2) The Board shall adopt regulations that establish a procedure for testing an individual who because of the individual’s speech or hearing impairment is unable to complete satisfactorily a Board approved standardized test of oral competency.

(3) If any disciplinary charge or action that relates to a problem with the oral communication of the English language is brought against a licensee under this title, the Board shall require the licensee to pass a Board approved standardized test of oral competency.

(4) The Board may not require an applicant for a license to practice pharmacy, who is or was previously licensed in another state to practice pharmacy, to demonstrate an oral competency in the English language, if the other state’s examination and licensing procedures at the time the applicant was licensed in the other state included an oral competency component.

(5) Graduation from a recognized English-speaking professional school accredited by the Accreditation Council for Pharmacy Education is acceptable as proof of proficiency in the oral communication of the English language under this subsection.

12-302.1.

(A) IN THIS SECTION, "CENTRAL REPOSITORY" MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(B) AN APPLICANT SHALL APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(C) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY RECORDS CHECK, AN APPLICANT SHALL COMPLETE AND SUBMIT TO THE CENTRAL REPOSITORY:

(1) A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

(2) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

(3) THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(D) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE BOARD AND THE INDIVIDUAL THE INDIVIDUAL'S CRIMINAL HISTORY RECORD INFORMATION.

(E) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SECTION:

(1) IS CONFIDENTIAL;

(2) MAY NOT BE REDISSEMINATED; AND

(3) MAY BE USED ONLY FOR THE LICENSING PURPOSE AUTHORIZED BY THIS TITLE.

(F) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SECTION MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY RECORD

INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10-223 OF THE CRIMINAL PROCEDURE ARTICLE.

(G) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE INDIVIDUAL.

12-303.

(a) To apply for a license, an applicant shall:

(1) Submit an application to the Board on the form that the Board requires;
[and]

(2) Pay the application fees set by the Board; AND

(3) SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 12-302.1 OF THIS SUBTITLE.

12-306.

(A) The Board shall issue a license to any applicant who meets the requirements of this title.

(B) (1) ON RECEIPT OF THE CRIMINAL HISTORY RECORD INFORMATION OF AN APPLICANT FOR LICENSURE FORWARDED TO THE BOARD IN ACCORDANCE WITH § 12-302.1 OF THIS SUBTITLE, IN DETERMINING WHETHER TO GRANT A LICENSE, THE BOARD SHALL CONSIDER:

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

(II) THE CIRCUMSTANCES SURROUNDING THE CRIME;

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

(IV) SUBSEQUENT WORK HISTORY;

(V) EMPLOYMENT AND CHARACTER REFERENCES; AND

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

(2) THE BOARD MAY NOT ISSUE A LICENSE IF THE CRIMINAL HISTORY RECORD INFORMATION REQUIRED UNDER § 12-302.1 OF THIS SUBTITLE HAS NOT BEEN RECEIVED.

12-308.

(D) BEGINNING JULY 1, 2027, THE BOARD SHALL REQUIRE ALL LICENSEES WHO WERE INITIALLY LICENSED WITHOUT A CRIMINAL HISTORY RECORDS CHECK TO SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 12-302.1 OF THIS SUBTITLE ON RENEWAL AS SET FORTH IN REGULATIONS ADOPTED BY THE BOARD.

[(d)] (E) The Board shall renew the license of and issue a renewal certificate to each licensee who meets the requirements of this section.

12-310.

(b) The Board shall reinstate the license of a pharmacist whose license has been expired for 2 years or more if the pharmacist:

(1) Meets the reinstatement requirements established by the Board in its rules or regulations; [and]

(2) Satisfies the requirements of subsection (a) of this section; AND

(3) SUBMITS TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 12-302.1 OF THIS SUBTITLE.

12-6B-02.1.

(A) IN THIS SECTION, "CENTRAL REPOSITORY" MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(B) AN APPLICANT SHALL APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(C) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY RECORDS CHECK, AN APPLICANT SHALL COMPLETE AND SUBMIT TO THE CENTRAL REPOSITORY:

(1) A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

(2) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

(3) THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(D) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE BOARD AND THE INDIVIDUAL THE INDIVIDUAL'S CRIMINAL HISTORY RECORD INFORMATION.

(E) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SECTION:

(1) IS CONFIDENTIAL;

(2) MAY NOT BE REDISSEMINATED; AND

(3) MAY BE USED ONLY FOR THE LICENSING PURPOSE AUTHORIZED BY THIS TITLE.

(F) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SECTION MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10-223 OF THE CRIMINAL PROCEDURE ARTICLE.

(G) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE INDIVIDUAL.

12-6C-05.1.

(a) (1) In this subsection, "Central Repository" means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.

(2) This subsection applies to applicants located in the State.

(3) As part of an application to the Central Repository for a State and national criminal history records check, the designated representative and the immediate supervisor of the designated representative of an applicant shall submit to the Central Repository:

(i) [Two complete sets] **A COMPLETE SET** of legible fingerprints taken [on forms] **IN A FORMAT** approved by the [director] **DIRECTOR** of the Central Repository and the Director of the Federal Bureau of Investigation;

(ii) The fee authorized under § 10–221(b)(7) of the Criminal Procedure Article for access to [State] **MARYLAND** criminal history records; and

(iii) The **MANDATORY** processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

(4) In accordance with §§ 10–201 through [10–228] **10–229** of the Criminal Procedure Article, the Central Repository shall forward the criminal history records information of the designated representative and the immediate supervisor of the designated representative of an applicant to the Board and the applicant.

(5) [The Board shall ensure that information] **INFORMATION** obtained from the Central Repository under this subsection:

(i) Is [kept] confidential;

(ii) [Is] **MAY** not **BE** disseminated; and

(iii) [Is] **MAY BE** used only for the permitting purpose authorized by this subtitle.

(6) The subject of a criminal history records check under this subsection may contest the contents of the [printed statement] **CRIMINAL HISTORY RECORDS INFORMATION** issued by the Central Repository as provided in § 10–223 of the Criminal Procedure Article.

(7) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE INDIVIDUAL.

12–6C–06.

(b) (1) Except as provided in paragraph (2) of this subsection, at least 1 month before a wholesale distributor permit expires, the Board shall send to the wholesale distributor permit holder a renewal notice by electronic means to the last known e-mail address of the permit holder.

(2) If requested by a wholesale distributor permit holder, the Board shall send to the permit holder a renewal notice by first-class mail to the last known address of the permit holder.

(3) If a renewal notice sent by electronic means under paragraph (1) of this subsection is returned to the Board as undeliverable, the Board shall send to the wholesale distributor permit holder a renewal notice by first-class mail to the last known address of the permit holder.

(4) A renewal notice sent under this subsection shall state:

(i) The date on which the current wholesale distributor permit expires;

(ii) The date by which the renewal application must be received by the Board for the renewal to be issued and mailed before the current wholesale distributor permit expires; and

(iii) The amount of the renewal fee.

(5) Before a wholesale distributor permit expires, a wholesale distributor permit holder periodically may renew it for an additional 2-year term, if the wholesale distributor permit holder:

(i) Otherwise is entitled to a wholesale distributor permit;

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

(iii) Submits to the Board a renewal application on the form that the Board requires.

(6) (i) The renewal application form shall set forth the information that the wholesale distributor provided under § 12-6C-05 of this subtitle.

(ii) Within 30 days after receiving the form, the wholesale distributor shall identify and state under oath to the Board all changes or corrections to the information that was provided under § 12-6C-05 of this subtitle.

(7) The Board shall renew the wholesale distributor permit of a wholesale distributor permit holder who meets the requirements of this subtitle and any regulations adopted under this subtitle.

(8) IF A WHOLESALE DISTRIBUTOR IS LOCATED OUTSIDE THE STATE, THE DESIGNATED REPRESENTATIVE AND IMMEDIATE SUPERVISOR OF THE DESIGNATED REPRESENTATIVE OF THE PERMIT HOLDER SHALL SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 12-6C-05.1 OF THIS SUBTITLE BEFORE THE PERMIT MAY BE RENEWED.

[(8)] (9) The Board may deny, suspend, or revoke the permit of a wholesale distributor if the Board determines that the wholesale distributor no longer qualifies for a permit.

12-6D-03.

(b) An applicant shall submit a request for a State **AND NATIONAL** criminal history records check in accordance with § 12-6D-04 of this subtitle.

(c) The Board may not approve an application until the State **AND NATIONAL** criminal history records check is completed.

12-6D-04.

(a) In this section, “Central Repository” means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.

(b) As part of an application to the Central Repository for a State **AND NATIONAL** criminal history records check, the applicant shall submit to the Central Repository:

(1) **[Two complete sets] A COMPLETE SET** of legible fingerprints taken **[on forms] IN A FORMAT** approved by the **[director] DIRECTOR** of the Central Repository **AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION; [and]**

(2) The fee authorized under § 10-221(b)(7) of the Criminal Procedure Article for access to **[State] MARYLAND** criminal history records; **AND**

(3) THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(c) In accordance with §§ 10-201 through **[10-228] 10-229** of the Criminal Procedure Article, the Central Repository shall forward **[the criminal history records information of the applicant]** to the Board and the **[applicant] INDIVIDUAL THE INDIVIDUAL’S CRIMINAL HISTORY RECORD INFORMATION.**

(d) **[The Board shall ensure that information] INFORMATION** obtained from the Central Repository under this **[subsection] SECTION:**

- (1) Is ~~kept~~ confidential;
- (2) ~~Is~~ **MAY** not **BE** disseminated; and
- (3) ~~Is~~ **MAY BE** used only for the registration purpose authorized by this subtitle.

(e) The subject of a criminal history records check under this subsection may contest the contents of the printed statement issued by the Central Repository as provided in § 10–223 of the Criminal Procedure Article.

(F) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE INDIVIDUAL.

13–302.1.

(a) In this section, “Central Repository” means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.

(b) As part of an application to the Central Repository for a State and national criminal history records check, an applicant shall submit to the Central Repository:

(1) ~~Two~~ **A** complete ~~sets~~ **SET** of legible fingerprints taken ~~on forms~~ **IN A FORMAT** approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation;

(2) The fee authorized under § 10–221(b)(7) of the Criminal Procedure Article for access to ~~State~~ **MARYLAND** criminal history records; and

(3) The **MANDATORY** processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

(c) In accordance with §§ 10–201 through ~~10–228~~ **10–229** of the Criminal Procedure Article, the Central Repository shall forward to the Board and to the applicant the criminal history record information of the applicant.

(d) If an applicant has made three or more unsuccessful attempts at securing legible fingerprints, the Board may accept an alternate method of a criminal history records check as permitted by the Director of the Central Repository and the Director of the Federal Bureau of Investigation.

(e) Information obtained from the Central Repository under this section:

(1) Is confidential [and may];

(2) MAY not be redisseminated; and

[(2)] (3) May be used only for the licensing purpose authorized by this title.

(f) The subject of a criminal history records check under this section may contest the contents of the printed statement issued by the Central Repository as provided in § 10–223 of the Criminal Procedure Article.

(G) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE INDIVIDUAL.

13–311.

(E) BEGINNING JULY 1, 2027, THE BOARD SHALL REQUIRE ALL LICENSEES WHO WERE INITIALLY LICENSED WITHOUT A CRIMINAL HISTORY RECORDS CHECK TO SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 13–302.1 OF THIS SUBTITLE ON RENEWAL AS SET FORTH IN REGULATIONS ADOPTED BY THE BOARD.

[(e)] (F) The Board shall renew the license of each licensee who meets the requirements of this section.

16–302.1.

(a) In this section, “Central Repository” means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.

(b) As part of an application to the Central Repository for a State and national criminal history records check, an applicant shall submit to the Central Repository:

(1) **[One] A** complete set of legible fingerprints taken in a **[manner] FORMAT** approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation;

(2) The fee authorized under § 10–221(b)(7) of the Criminal Procedure Article for access to **[State] MARYLAND** criminal history records; and

(3) The **MANDATORY** processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

(c) In accordance with §§ 10–201 through 10–229 of the Criminal Procedure Article, the Central Repository shall forward to the Board and the applicant the criminal history record information of the applicant.

(d) Information obtained from the Central Repository under this section:

(1) Is confidential;

(2) May not be disseminated; and

(3) **[Shall] MAY** be used only for the licensing purpose authorized by this title.

(e) The subject of a criminal history records check under this section may contest the contents of the printed statement issued by the Central Repository as provided in § 10–223 of the Criminal Procedure Article.

(F) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE INDIVIDUAL.

18–302.1.

(a) In this section, “Central Repository” means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.

(b) As part of an application to the Central Repository for a State and national criminal history records check, an applicant shall submit to the Central Repository:

(1) **[Two] A** complete **[sets] SET** of legible fingerprints taken **[on forms] IN A FORMAT** approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation;

(2) The fee authorized under § 10–221(b)(7) of the Criminal Procedure Article for access to **[State] MARYLAND** criminal history records; and

(3) The **MANDATORY** processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

(c) In accordance with §§ 10–201 through [10–228] **10–229** of the Criminal Procedure Article, the Central Repository shall forward to the Board and the applicant the criminal history record information of the applicant.

(d) If an applicant has made three or more unsuccessful attempts at securing legible fingerprints, the Board may accept an alternate method of a criminal history records check as allowed by the Director of the Central Repository and the Director of the Federal Bureau of Investigation.

(e) Information obtained from the Central Repository under this section:

(1) [Shall be] **IS** confidential;

(2) May not be disseminated; and

(3) [Shall] **MAY** be used only for the licensing purpose authorized by this title.

(f) The subject of a criminal history records check under this section may contest the contents of the printed statement issued by the Central Repository as provided in § 10–223 of the Criminal Procedure Article.

(G) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE INDIVIDUAL.

18–309.

[(h) (1) (i) Beginning March 2019, the Board shall begin a process requiring criminal history records checks in accordance with § 18–302.1 of this subtitle on:

1. Selected annual renewal applicants as determined by regulations adopted by the Board; and

2. Each former licensee or registrant who files for reinstatement under § 18–310 of this subtitle after failing to renew the license or registration for a period of 1 year or more.

(ii) An additional criminal history records check shall be performed:

1. 6 years after a renewal applicant submitted to a criminal history records check under § 18–302(e) of this subtitle; and

2. Every 6 years after a renewal applicant was required to submit to a criminal history records check under subparagraph (i)1 of this paragraph.

(2) On receipt of the criminal history record information of a licensee forwarded to the Board in accordance with § 18–302.1 of this subtitle, in determining whether to renew a license or registration, the Board shall consider:

- (i) The age at which the crime was committed;
- (ii) The circumstances surrounding the crime;
- (iii) The length of time that has passed since the crime;
- (iv) Subsequent work history;
- (v) Employment and character references; and

(vi) Other evidence that demonstrates whether the licensee poses a threat to the public health or safety.

(3) The Board may not renew a license or registration if the criminal history record information required under § 18–302.1 of this subtitle has not been received.]

20–303.

(b) (1) As part of the application for a criminal history records check, the applicant shall submit to the Central Repository:

(i) A **COMPLETE SET OF** legible [set of] fingerprints taken in a format approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation;

(ii) The fee authorized under § 10–221(b)(7) of the Criminal Procedure Article for access to [State] **MARYLAND** criminal history records; and

(iii) The **MANDATORY** processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

(2) In accordance with §§ 10–201 through [10–228] **10–229** of the Criminal Procedure Article, the Central Repository shall forward to the applicant and the Board the applicant’s criminal history records information.

(3) Information obtained from the Central Repository under this subsection:

(i) Is confidential [and may];

(II) MAY not be disseminated; and

~~[(ii)]~~ **(III)** May be used only for the certification purpose authorized by this subtitle.

(4) The subject of a criminal history records check under this subsection may contest the contents of the printed statement issued by the Central Repository as provided in § 10–223 of the Criminal Procedure Article.

(5) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE INDIVIDUAL.

21–302.

To obtain a license, an applicant shall demonstrate to the satisfaction of the Board that the applicant:

(1) Is at least 18 years old;

(2) Is of good moral character;

(3) Has satisfied the education and experience requirements to qualify for examination under § 21–304 of this subtitle; [and]

(4) Except as otherwise provided in this title, has successfully passed an examination as required by the Board; **AND**

(5) BEGINNING JULY 1, 2027, HAS SUBMITTED TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 21–302.1 OF THIS SUBTITLE.

21–302.1.

(A) IN THIS SECTION, “CENTRAL REPOSITORY” MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(B) AN APPLICANT SHALL APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(C) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY RECORDS CHECK, AN APPLICANT SHALL COMPLETE AND SUBMIT TO THE CENTRAL REPOSITORY:

(1) A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

(2) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

(3) THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(D) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE BOARD AND THE INDIVIDUAL THE INDIVIDUAL'S CRIMINAL HISTORY RECORD INFORMATION.

(E) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SECTION:

(1) IS CONFIDENTIAL;

(2) MAY NOT BE REDISSEMINATED; AND

(3) MAY BE USED ONLY FOR THE LICENSING PURPOSE AUTHORIZED BY THIS TITLE.

(F) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SECTION MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10-223 OF THE CRIMINAL PROCEDURE ARTICLE.

(G) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE INDIVIDUAL.

(a) The Board shall license and issue the appropriate licensure to any applicant who meets the requirements of this title.

(b) The Board shall include on each license that it issues:

- (1) The designation “licensed environmental health specialist”;
- (2) The name of the license holder;
- (3) The date of issue and serial number of the license;
- (4) The Board seal; and
- (5) The signature of the Board’s representative.

(c) The Board shall issue a new license to replace a lost, destroyed, or mutilated license if the license holder pays a fee that is set by the Board.

(D) THE BOARD MAY NOT ISSUE A LICENSE IF THE CRIMINAL HISTORY RECORD INFORMATION REQUIRED UNDER § 21-302 OF THIS TITLE HAS NOT BEEN RECEIVED.

21-309.

(c) Before the license expires, the licensee may renew it for an additional 2-year term, if the licensee:

- (1) Otherwise is entitled to be licensed;
- (2) Pays to the Board the renewal fee set by the Board;
- (3) Submits to the Board a renewal application on the form that the Board requires; [and]

(4) Submits to the Board proof that during the previous 2-year period, the licensee has acquired 20 hours of approved training in environmental health or other equivalent education as approved by the Board; AND

(5) IF LICENSED BEFORE JULY 1, 2027, SUBMITS SATISFACTORY EVIDENCE OF SUBMITTING TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 21-302.1 OF THIS SUBTITLE FOR THE LICENSEE’S FIRST RENEWAL AFTER JULY 1, 2027.

21-310.

(D) BEGINNING JULY 1, 2027, A LICENSED ENVIRONMENTAL HEALTH SPECIALIST APPLYING FOR THE REACTIVATION OF AN INACTIVE OR NONRENEWED LICENSE SHALL SUBMIT SATISFACTORY EVIDENCE OF SUBMITTING TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 21-302.1 OF THIS SUBTITLE.

(E) THE BOARD MAY NOT REACTIVATE A LICENSE IF THE CRIMINAL HISTORY RECORD INFORMATION HAS NOT BEEN RECEIVED.

21-315.

(A) The Board, on the affirmative vote of a majority of its full appointed membership, may reinstate the license of an individual whose license has been revoked.

(B) BEGINNING JULY 1, 2027, AN INDIVIDUAL APPLYING FOR REINSTATEMENT OF A REVOKED LICENSE SHALL SUBMIT SATISFACTORY EVIDENCE OF SUBMITTING TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 21-302.1 OF THIS SUBTITLE.

(C) THE BOARD MAY NOT REINSTATE A LICENSE IF THE CRIMINAL HISTORY RECORD INFORMATION HAS NOT BEEN RECEIVED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2026.

Approved by the Governor, May 12, 2026.