

HOUSE BILL 1420

J2

6lr1691
CF SB 806

By: **Joint Audit and Evaluation Committee**
Introduced and read first time: February 13, 2026
Assigned to: Health and Judiciary

Committee Report: Favorable
House action: Adopted
Read second time: March 7, 2026

CHAPTER _____

1 AN ACT concerning

2 **Health Occupations – Criminal History Records Checks**

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

13 BY repealing and reenacting, without amendments,
14 Article – Health Occupations
15 Section 1A–302(a)
16 Annotated Code of Maryland
17 (2021 Replacement Volume and 2025 Supplement)

18 BY adding to
19 Article – Health Occupations
20 Section 1A–302(b)(4), 1A–302.1, 4–302.2, 4–307(d), 4–310(d), 4–315(a)(39) and
21 (c)(21), 4–505(e) and (h), 5–302.1, 5–308(f), 8–302.2, 11–308(d), 12–302(d),
22 12–302.1, 12–308(d), 12–6B–02.1, 13–311(e), 21–302.1, and 21–310(d) and (e)
23 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(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.

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

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

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

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

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

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

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

20 **(1) IS CONFIDENTIAL;**

21 **(2) MAY NOT BE REDISSEMINATED; AND**

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

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

28 **(G) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE**
29 **CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY**
30 **RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND**

1 **THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE**
2 **INDIVIDUAL.**

3 1A-306.

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

6 (1) Otherwise is entitled to be licensed;

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

8 (3) Submits to the Board:

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

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

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

16 1A-307.

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

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

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

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

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

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

29 4-302.

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

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

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

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

8 **[(d)] (E)** Unless waived by the Board under §§ 4-303 and 4-303.1 of this subtitle,
9 and except as provided in § 4-306.1 of this subtitle, to qualify for a license to practice
10 dentistry, the applicant shall hold a degree of Doctor of Dental Surgery, Doctor of Dental
11 Medicine, or the equivalent, from a college or university that is:

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

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

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

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

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

22 (3) Is approved by the Board.

23 **[(f)] (G)** (1) Unless the examination requirement is waived under § 4-306 or
24 § 4-310 of this subtitle, and except as provided in § 4-303.1 of this subtitle, to qualify for a
25 general license to practice dentistry or a general license to practice dental hygiene, the
26 applicant shall pass an examination given by the Board under this subtitle.

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

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

- 1 (1) Be licensed to practice dentistry in any other state;
- 2 (2) Have been active in the dental profession for at least 5 years;
- 3 (3) Be a full-time or part-time faculty member at a college or university
4 where the applicant teaches a subject required by the dental school of that college or
5 university; and
- 6 (4) If the applicant is engaged in a teaching area that is designated as a
7 specialty by the National Commission on Recognition of Dental Specialties and Certifying
8 Boards, meet the requirements established by the National Commission on Recognition of
9 Dental Specialties and Certifying Boards for that specialty.

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

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

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

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

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

- 29 (1) Have had a general license to practice dental hygiene under this title
30 within the last 2 years;
- 31 (2) Complete the continuing education requirements that the Board
32 establishes for a general license; and

1 (3) Provide dental hygiene services as required under § 4–308(g) of this
2 subtitle.

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

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

7 (2) Hold an active license to practice dentistry in another state or in the
8 District of Columbia;

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

11 (4) Provide dental services exclusively in the manner described in §
12 4–308(c) of this subtitle; and

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

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

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

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

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

23 (4) Provide dental hygiene services exclusively in the manner described in
24 § 4–308(g) of this subtitle; and

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

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

29 **4–302.2.**

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

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

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

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

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

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

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

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

23 (1) IS CONFIDENTIAL;

24 (2) MAY NOT BE REDISSEMINATED; AND

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

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

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

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

10 **(1) THE AGE AT WHICH THE CRIME WAS COMMITTED;**

11 **(2) THE CIRCUMSTANCES SURROUNDING THE CRIME;**

12 **(3) THE LENGTH OF TIME THAT HAS PASSED SINCE THE CRIME;**

13 **(4) SUBSEQUENT WORK HISTORY;**

14 **(5) EMPLOYMENT AND CHARACTER REFERENCES; AND**

15 **(6) OTHER EVIDENCE THAT DEMONSTRATES WHETHER THE**
16 **APPLICANT POSES A THREAT TO THE PUBLIC HEALTH OR SAFETY.**

17 4-304.

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

19 (1) Submit an application to the Board on the form that the Board requires;

20 [and]

21 (2) **SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN**
22 **ACCORDANCE WITH § 4-302.2 OF THIS SUBTITLE; AND**

23 (3) Pay to the Board an application fee set by the Board.

24 4-307.

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

28 4-310.

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

4 4-311.

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

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

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

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

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

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

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

21 4-315.

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

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

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

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

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

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

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

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

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

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

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

17 4-505.

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

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

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

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

27 (3) The amount of the renewal fee.

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

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

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

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

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

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

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

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

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

23 (1) IS CONFIDENTIAL;

24 (2) MAY NOT BE REDISSEMINATED; AND

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

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

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

6 5–303.

7 (a) An applicant for a license shall:

8 (1) Submit an application to the Board on the form that the Board requires;

9 (2) Pay the application fee set by the Board; [and]

10 (3) Provide proof of passing an examination approved by the Board; AND

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

13 5–308.

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

18 5–309.

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

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

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

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

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

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

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

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

3 (1) Otherwise is entitled to be licensed;

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

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

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

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

11 5-311.

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

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

18 (2) Fraudulently or deceptively uses a license;

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

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

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

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

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

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

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

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

6 (11) Provides professional services while:

7 (i) Under the influence of alcohol; or

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

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

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

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

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

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

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

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

24 **OR**

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

27 7–301.1.

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

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

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

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

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

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

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

16 **(I) IS CONFIDENTIAL;**

17 **(II) MAY NOT BE REDISSEMINATED; AND**

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

20 ~~[(4)]~~ **(5)** If an applicant has made three or more unsuccessful attempts at
21 securing legible fingerprints, the Board may accept an alternate method of a criminal
22 history records check as allowed by the Director of the Central Repository and the Director
23 of the Federal Bureau of Investigation.

24 ~~[(5)]~~ **(6)** The subject of a criminal history records check under this section
25 may contest the contents of the printed statement issued by the Central Repository as
26 provided in § 10–223 of the Criminal Procedure Article.

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

32 **8–302.2.**

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

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

5 **(2) APPLICANTS FOR CERTIFICATION AS A WORKERS’**
6 **COMPENSATION CASE MANAGER;**

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

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

14 8–303.

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

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

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

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

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

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

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

1 (2) The Board shall notify each applicant that:

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

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

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

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

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

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

15 (2) **MAY** not be disseminated; and

16 [(2)] (3) [Used] **MAY BE USED** only for the licensing purpose authorized
17 by this title.

18 (g) The subject of a criminal history records check under this section may contest
19 the contents of the printed statement issued by the Central Repository as provided in §
20 10-223 of the Criminal Procedure Article.

21 8-6A-05.

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

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

26 (II) **SUBMIT TO THE BOARD:**

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

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

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

3 1. An approved nursing assistant training program or
4 approved acute care nursing assistant training program;

5 2. An approved dialysis technician training program;

6 3. An approved course in medication administration; or

7 4. A portion of an approved nursing education program that
8 the Board determines meets the requirements of an approved nursing assistant training
9 program or medication administration course;

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

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

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

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

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

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

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

22 (ii) On the form required by the Board, written, verified evidence
23 that the requirement of item (i) of this paragraph is being met or has been met.】

24 **[(3)] (2)** (i) An applicant for certification as a certified nursing
25 assistant shall submit to the Board satisfactory evidence of passing a nursing assistant
26 competency evaluation.

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

30 **[(4)] (3)** An applicant for a certificate may not:

1 (i) Have committed any act or omission that would be grounds for
2 discipline or denial of certification under this subtitle; and

3 (ii) Have a record of abuse, negligence, misappropriation of a
4 resident's property, or any disciplinary action taken or pending in any other state or
5 territory of the United States against the certification of the nursing assistant or
6 medication technician in the state or territory.

7 **[(5)] (4)** Beginning October 1, 2025, a certified nursing assistant–II may
8 be certified as a certified nursing assistant–I by:

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

11 (ii) Providing satisfactory evidence of:

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

14 2. Passing a nursing assistant competency evaluation.

15 8–6A–08.

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

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

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

22 (2) A renewal notice shall state:

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

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

26 (iii) The amount of the renewal fee.

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

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

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

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

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

11 11–308.

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

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

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

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

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

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

27 11–310.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 [(2)] (3) Otherwise meets the requirements of subsection (b) of this
24 section.

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

28 12-302.

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

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

4 (1) Be a graduate of a school or college of pharmacy that is approved by the
5 Board or accredited by the American Council on Pharmaceutical Education; and

6 (2) Have completed the professional experience program that the Board
7 requires.

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

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

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

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

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

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

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

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

1 **12-302.1.**

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

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

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

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

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

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

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

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

24 (1) IS CONFIDENTIAL;

25 (2) MAY NOT BE REDISSEMINATED; AND

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

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

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

6 12-303.

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

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

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

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

13 12-306.

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

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

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

21 **(II) THE CIRCUMSTANCES SURROUNDING THE CRIME;**

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

23 **(IV) SUBSEQUENT WORK HISTORY;**

24 **(V) EMPLOYMENT AND CHARACTER REFERENCES; AND**

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

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

4 12-308.

5 **(D) BEGINNING JULY 1, 2027, THE BOARD SHALL REQUIRE ALL LICENSEES**
6 **WHO WERE INITIALLY LICENSED WITHOUT A CRIMINAL HISTORY RECORDS CHECK**
7 **TO SUBMIT TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH §**
8 **12-302.1 OF THIS SUBTITLE ON RENEWAL AS SET FORTH IN REGULATIONS ADOPTED**
9 **BY THE BOARD.**

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

12 12-310.

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

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

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

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

20 **12-6B-02.1.**

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

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

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

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

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

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

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

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

12 **(1) IS CONFIDENTIAL;**

13 **(2) MAY NOT BE REDISSEMINATED; AND**

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

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

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

25 12-6C-05.1.

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

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

30 (3) As part of an application to the Central Repository for a State and
31 national criminal history records check, the designated representative and the immediate

1 supervisor of the designated representative of an applicant shall submit to the Central
2 Repository:

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

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

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

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

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

16 (i) Is [kept] confidential;

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

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

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

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

29 12–6C–06.

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

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

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

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

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

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

14 (iii) The amount of the renewal fee.

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

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

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

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

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

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

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

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

1 ~~[(8)] (9)~~ The Board may deny, suspend, or revoke the permit of a
2 wholesale distributor if the Board determines that the wholesale distributor no longer
3 qualifies for a permit.

4 12-6D-03.

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

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

9 12-6D-04.

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

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

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

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

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

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

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

27 (1) Is ~~[kept]~~ confidential;

28 (2) ~~[Is]~~ **MAY** not **BE** disseminated; and

29 (3) ~~[Is]~~ **MAY BE** used only for the registration purpose authorized by this
30 subtitle.

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

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

9 13–302.1.

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

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

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

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

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

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

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

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

29 (1) Is confidential ~~[and may]~~;

30 **(2) MAY** not be disseminated; and

31 ~~[(2)] (3)~~ May be used only for the licensing purpose authorized by this
32 title.

1 (f) The subject of a criminal history records check under this section may contest
2 the contents of the printed statement issued by the Central Repository as provided in §
3 10–223 of the Criminal Procedure Article.

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

9 13–311.

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

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

17 16–302.1.

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

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

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

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

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

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

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

- 1 (1) Is confidential;
- 2 (2) May not be disseminated; and
- 3 (3) [Shall] **MAY** be used only for the licensing purpose authorized by this
4 title.

5 (e) The subject of a criminal history records check under this section may contest
6 the contents of the printed statement issued by the Central Repository as provided in §
7 10–223 of the Criminal Procedure Article.

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

13 18–302.1.

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

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

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

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

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

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

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

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

- 1 (1) [Shall be] **IS** confidential;
- 2 (2) May not be redisseminated; and
- 3 (3) [Shall] **MAY** be used only for the licensing purpose authorized by this
4 title.

5 (f) The subject of a criminal history records check under this section may contest
6 the contents of the printed statement issued by the Central Repository as provided in §
7 10–223 of the Criminal Procedure Article.

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

13 18–309.

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

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

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

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

22 1. 6 years after a renewal applicant submitted to a criminal
23 history records check under § 18–302(e) of this subtitle; and

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

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

29 (i) The age at which the crime was committed;

30 (ii) The circumstances surrounding the crime;

31 (iii) The length of time that has passed since the crime;

- 1 (iv) Subsequent work history;
- 2 (v) Employment and character references; and
- 3 (vi) Other evidence that demonstrates whether the licensee poses a
4 threat to the public health or safety.

5 (3) The Board may not renew a license or registration if the criminal
6 history record information required under § 18–302.1 of this subtitle has not been received.]
7 20–303.

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

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

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

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

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

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

22 (i) Is confidential [and may];

23 **(II) MAY** not be disseminated; and

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

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

29 **(5) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO**
30 **THE CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY**

1 RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD AND
2 THE INDIVIDUAL REVISED CRIMINAL HISTORY RECORD INFORMATION FOR THE
3 INDIVIDUAL.

4 21-302.

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

7 (1) Is at least 18 years old;

8 (2) Is of good moral character;

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

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

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

15 21-302.1.

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

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

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

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

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

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

3 **(D) IN ACCORDANCE WITH §§ 10–201 THROUGH 10–229 OF THE CRIMINAL**
4 **PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE**
5 **BOARD AND THE INDIVIDUAL THE INDIVIDUAL’S CRIMINAL HISTORY RECORD**
6 **INFORMATION.**

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

9 **(1) IS CONFIDENTIAL;**

10 **(2) MAY NOT BE REDISSEMINATED; AND**

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

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

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

22 21–307.

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

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

26 (1) The designation “licensed environmental health specialist”;

27 (2) The name of the license holder;

28 (3) The date of issue and serial number of the license;

29 (4) The Board seal; and

30 (5) The signature of the Board’s representative.

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

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

6 21-309.

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

9 (1) Otherwise is entitled to be licensed;

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

11 (3) Submits to the Board a renewal application on the form that the Board
12 requires; [and]

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

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

20 21-310.

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

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

27 21-315.

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

1 **(B) BEGINNING JULY 1, 2027, AN INDIVIDUAL APPLYING FOR**
 2 **REINSTATEMENT OF A REVOKED LICENSE SHALL SUBMIT SATISFACTORY EVIDENCE**
 3 **OF SUBMITTING TO A CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH §**
 4 **21-302.1 OF THIS SUBTITLE.**

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

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
 8 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.