



SB0894/293120/1

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

16 MAR 21  
14:32:16

BY: Senator Rosapepe  
(To be offered in the Finance Committee)

AMENDMENTS TO SENATE BILL 894  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “programs;” insert “altering the list of training programs with respect to which an applicant for certification or renewal of certification as a certified nursing assistant may provide certain evidence to include a certain digital learning program; establishing certain requirements for a program of digital learning for certification as a certified nursing assistant;”; and in line 17, after “terms;” insert “requiring that a certain individual practicing as a certified nursing assistant be allowed to continue to practice for a certain number of additional years;”.

On page 2, after line 10, insert:

“BY repealing and reenacting, with amendments,

Article - Health Occupations

Section 8-6A-05 and 8-6A-08(c)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 8–6A–08(a) and (b)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 4, after line 24, insert:

(Over)

“8-6A-05.

(a) The Board shall adopt regulations establishing:

(1) Categories of certified nursing assistants, including geriatric nursing assistants, home health aides, school health aides, dialysis technicians, individuals working in developmental disabilities administration facilities, and medicine aides;

(2) Qualifications for each category of certified nursing assistant;

(3) Qualifications for certified medication technicians; and

(4) Standards for qualification of applicants for certification, including the applicant’s criminal history, work record, and prohibitions against behavior which may be potentially harmful to patients.

(b) To qualify for certification as a nursing assistant, a nursing assistant in a specific category, or a medication technician, an applicant shall meet the requirements set by the Board.

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

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

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

1. An approved nursing assistant training program;

**2. AN APPROVED DIGITAL LEARNING PROGRAM THAT MEETS THE REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION;**

[2.] 3. An approved course in medication administration; or

[3.] 4. A portion of an approved nursing education program that the Board determines meets the requirements of a nursing assistant training program or medication administration course;

(iii) Pay to the Board an application fee set by the Board;

(iv) Be of good moral character;

(v) Be at least 16 years old to apply for certification as a nursing assistant; and

(vi) 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 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) An applicant for certification as a certified medicine aide, in addition to the requirements under paragraph (1) of this subsection, shall submit an additional application to that effect to the Board on the form that the Board requires.

(Over)

(4) 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.

**(D) A PROGRAM OF DIGITAL LEARNING, AS DEFINED IN § 1-225 OF THIS ARTICLE, FOR CERTIFICATION AS A CERTIFIED NURSING ASSISTANT MUST CONSIST OF A MINIMUM OF 8 HOURS OF EDUCATION AND INCLUDE TRAINING IN:**

**(1) RESIDENTS' RIGHTS;**

**(2) CONFIDENTIALITY OF RESIDENTS' PERSONAL INFORMATION AND MEDICAL RECORDS;**

**(3) CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASES;**

**(4) EMERGENCY RESPONSE MEASURES;**

**(5) ASSISTANCE WITH ACTIVITIES OF DAILY LIVING;**

**(6) MEASURING VITAL SIGNS;**

**(7) SKIN CARE AND PRESSURE SORES PREVENTION;**

(8) PORTABLE OXYGEN USE AND SAFETY;

(9) NUTRITION AND HYDRATION; AND

(10) DEMENTIA CARE.

8-6A-08.

(a) A certificate expires on the 28th day of the birth month of the nursing assistant or medication technician, unless the certificate is renewed for a 2-year term as provided in this section.

(b) (1) At least 3 months before a certificate expires, the Board shall send a renewal notice to the nursing assistant or medication technician by:

(i) First-class mail to the last known mailing address of the nursing assistant or medication technician; 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 medication technician is required to have a criminal history records check before a certificate may be renewed, the Board shall send

(Over)

the nursing assistant or medication technician the documents necessary for initiating the criminal history records check in conjunction with the renewal notice required under paragraph (1) of this subsection.

(c) Before a certificate expires, a nursing assistant periodically may renew it for an additional term, if the certificate holder:

(1) Otherwise is entitled to be certified;

(2) Submits to the Board a renewal application on the form that the Board requires;

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

(4) Provides satisfactory evidence of completion of:

(i) 16 hours of active nursing assistant practice within the 2-year period immediately preceding the date of renewal; [or]

(ii) An approved nursing assistant training program; OR

(III) AN APPROVED DIGITAL LEARNING PROGRAM THAT MEETS THE REQUIREMENTS UNDER § 8-6A-05(D) OF THIS TITLE.”.

On page 10, after line 17, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That an individual practicing as a certified nursing assistant for at least 180 days during the State of Emergency declared March 5, 2020, by the Governor under § 14-107 of the Public Safety Article and who is in good standing with the State Board of Nursing shall be allowed to continue to practice as a certified nursing assistant for an additional 2 years.”;

and in line 18, strike “2.” and substitute “3.”.