



# Board of Nursing

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

March 21, 2024

The Honorable Joseline A. Peña-Melnyk  
Chair, House Health and Government Operations Committee  
Room 241  
House Office Building  
Annapolis, MD 21401

**RE: SB 999 – Certified Nursing Assistants - Licensing Requirements and Administrative Updates – Letter of Support as Amended**

Dear Chair Peña-Melnyk and Committee Members:

The Maryland Board of Nursing (the Board) respectfully submits this letter of support, as amended, for Senate Bill (SB) 999 – Certified Nursing Assistants - Licensing Requirements and Administrative Updates. This bill exempts an individual who practices as a certain nursing assistant for less than 4 months under federal regulations from the State's certification requirement; alters the designation of, and licensure requirements for, certified nursing assistants and geriatric nursing assistants; requires an applicant for certification as a certified nursing assistant to complete a nursing assistant competency evaluation; etc.

The Board believes the intent of this bill is to increase the front line/direct care nursing workforce. By consolidating the role of a certified nursing assistant (CNA) to one designation, individuals will have greater flexibility in moving between different acute and long-term health care settings. This would allow individuals to acquire experience in assisting patients with differing and complex health care needs. The Board additionally believes this bill will assist in the portability of nursing assistants within and outside the state of Maryland.

A certified nursing assistant (CNA) is a staff member of a patient's healthcare team that performs important patient-centered tasks under the supervision of licensed nursing staff. Responsibilities of a certified nursing assistant can include: assisting patients with activities of daily living, serving meals and assisting patients with eating, lifting and moving patients, taking vital signs, facilitating patient care, providing companionship, etc. The national landscape for CNAs allows flexibility to work in the hospital, long-term residential facility, nursing home, rehabilitation center, adult daycare center, and clinical facility settings. In the state of Maryland, however, this flexibility is not afforded under Maryland Health Occupations Article Subtitle 6A – Certification of Nursing Assistants, Dialysis Technicians, and Medication Technicians.

The role of a nursing assistant in Maryland is currently classified into two (2) designations: (1) the certified nursing assistant certification and (2) the geriatric nursing assistant (GNA)

certification. A certified nursing assistant is defined as an “individual who routinely performs nursing tasks delegated by a registered nurse (RN) or licensed practical nurse (LPN) for compensation”. An individual applying for a certified nursing assistant certification must: (1) successfully complete a Board approved training program; (2) successfully pass an objective final examination; and (3) demonstrate the ability to competently perform assistive nursing functions. The certification of a CNA, as it is currently written in statute, does not meet federal requirements. As such, CNAs are only authorized to practice in the acute care setting (i.e. hospital, inpatient environment).

A geriatric nursing assistant (GNA), in contrast, is defined as a “certified nursing assistant who has successfully completed the requirements for a GNA set forth in federal regulations 42 CFR §§483.151—483.156 and COMAR 10.07.02.39—.42 (Nursing Home)”. An individual applying for a geriatric nursing assistant certification must: (1) attend a *federally approved* geriatric nursing assistant training program; (2) pass the nationally recognized skills and certification exam; and (3) register on the Maryland Geriatric Nursing Assistant Registry. This designation, as it is currently written in statute, meets federal requirements. As such, GNAs are authorized to practice in all acute and long-term care settings (i.e., nursing homes, assisted living facilities, etc.).

For the reasons discussed above, the Maryland Board of Nursing respectfully submits this letter of support for SB 999, as amended.

I hope this information is useful. For more information, please contact Ms. Mitzi Fishman, Director of Legislative Affairs, at [mitzi.fishman@maryland.gov](mailto:mitzi.fishman@maryland.gov) or Ms. Rhonda Scott, Executive Director, at [rhonda.scott2@maryland.gov](mailto:rhonda.scott2@maryland.gov), or call (410) 585 – 2049.

Sincerely,



Gary N. Hicks  
Board President

**The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.**