

HOUSE BILL 1105

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4lr3072

By: **Delegates Woods, Alston, Guzzone, J. Long, Martinez, Roberts, Simmons, Taveras, Turner, and White Holland**

Introduced and read first time: February 7, 2024

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Advanced Practice Registered Nurses – Certification Requirement and**
3 **Exceptions**

4 FOR the purpose of requiring an individual, subject to certain exceptions, to be certified as
5 an advanced practice registered nurse before practicing advanced practice registered
6 nursing in the State; and generally relating to advanced practice registered nurses.

7 BY repealing and reenacting, with amendments,

8 Article – Health Occupations

9 Section 8–301

10 Annotated Code of Maryland

11 (2021 Replacement Volume and 2023 Supplement)

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

14 **Article – Health Occupations**

15 8–301.

16 (a) Except as otherwise provided in this title, an individual shall be licensed by
17 the Board before the individual may practice registered nursing in this State.

18 (b) Except as otherwise provided in this title, an individual shall be licensed by
19 the Board before the individual may practice licensed practical nursing in this State.

20 **(C) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, AN INDIVIDUAL**
21 **SHALL BE CERTIFIED AS AN ADVANCED PRACTICE REGISTERED NURSE BEFORE THE**
22 **INDIVIDUAL MAY PRACTICE ADVANCED PRACTICE REGISTERED NURSING IN THIS**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 STATE.

2 ~~[(c)]~~ **(D)** Subsections (a) ~~[and (b)]~~, **(B), AND (C)** of this section do not apply to:

3 (1) A student enrolled in an approved education program while practicing
4 registered nursing or licensed practical nursing in that program;

5 **(2) A STUDENT ENROLLED IN A GRADUATE LEVEL ACCREDITED**
6 **PROGRAM FOR ADVANCED PRACTICE REGISTERED NURSING WHILE PRACTICING**
7 **ADVANCED PRACTICE REGISTERED NURSING IN THAT PROGRAM;**

8 ~~[(2)]~~ **(3)** An individual employed by the federal government to practice
9 registered nursing or licensed practical nursing while practicing within the scope of that
10 employment, if the individual is authorized by any state to practice registered nursing or
11 licensed practical nursing;

12 ~~[(3)]~~ **(4)** An individual permitted to practice registered nursing or
13 licensed practical nursing under rules and regulations adopted by the Board, if the
14 individual:

15 (i) Otherwise has qualified to practice registered nursing or licensed
16 practical nursing in any other state or country and is in this State temporarily; or

17 (ii) Has an application for a license pending before the Board:

18 1. But has not taken the examination required under this
19 title;

20 2. Has taken an examination under this title, but the results
21 of the examination are not yet known;

22 3. Has taken and passed an examination under this title, but
23 is waiting for the completion of the criminal history records check; or

24 4. Has taken and failed an examination required under this
25 title but has not failed the examination more than one time within the 120-day period
26 immediately following the submission of the application to the Board;

27 **(5) AN INDIVIDUAL PERMITTED TO PRACTICE ADVANCED PRACTICE**
28 **REGISTERED NURSING UNDER RULES AND REGULATIONS ADOPTED BY THE BOARD;**

29 ~~[(4)]~~ **(6)** An individual who provides gratuitous care for friends, domestic
30 partners, or family members; or

31 ~~[(5)]~~ **(7)** An individual who responds to a disaster situation in this State
32 to practice registered nursing or licensed practical nursing, if:

1 (i) The individual has an active unencumbered license to practice
2 registered nursing or licensed practical nursing in another state and the individual is
3 assigned by:

4 1. The American Red Cross; or

5 2. A member of the Maryland Emergency Management
6 Assistance Compact under § 14–803 of the Public Safety Article;

7 (ii) The Governor has declared a State of Emergency by Executive
8 Order or proclamation in accordance with § 3–401 of the State Government Article; and

9 (iii) The individual reports to the designated staging area in
10 accordance with § 14–803(2)(b)(5)(iv) of the Public Safety Article.

11 **[(d)] (E)** A registered nurse or licensed practical nurse in a party state to the
12 Nurse Multistate Licensure Compact shall hold a license in only one party state at a time,
13 that is issued by the home state in accordance with Subtitle 7A of this title.

14 **[(e)] (F)** A registered nurse who has been granted multistate licensing privileges
15 by a party state to the Nurse Multistate Licensure Compact set forth in Subtitle 7A of this
16 title may practice registered nursing in the State.

17 **[(f)] (G)** A licensed practical nurse who has been granted multistate licensing
18 privileges by a party state to the Nurse Multistate Licensure Compact set forth in Subtitle
19 7A of this title may practice practical nursing in the State.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2024.