

Chapter 890

(House Bill 1105)

AN ACT concerning

Advanced Practice Registered Nurses – Certification Requirement and Exceptions

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

BY repealing and reenacting, with amendments,
 Article – Health Occupations
 Section 8–301
 Annotated Code of Maryland
 (2021 Replacement Volume and 2023 Supplement)

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

Article – Health Occupations

8–301.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. The American Red Cross; or

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

(ii) The Governor has declared a State of Emergency by Executive

Order or proclamation in accordance with § 3–401 of the State Government Article; and

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

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

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

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

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

Approved by the Governor, May 16, 2024.