

SENATE BILL 501

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3lr2731
CF HB 624

By: **Senator Conway**

Introduced and read first time: January 31, 2013

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 11, 2013

CHAPTER _____

1 AN ACT concerning

2 **State Board of Nursing – Licensure by Endorsement – Clinical Experience**

3 FOR the purpose of clarifying that certain applicants for license by endorsement are
4 required to have a certain active unencumbered license; requiring certain
5 applicants to submit certain applications and certain evidence of active nursing
6 practice to the State Board of Nursing and submit to certain criminal history
7 records checks; authorizing the Board to waive certain clinical experience
8 requirements under certain circumstances; authorizing the Board to deny
9 certain licenses to certain applicants; requiring the Board to adopt certain
10 regulations; requiring the Board to report to certain committees of the General
11 Assembly on or before certain dates; providing for the termination of certain
12 provisions of this Act; and generally relating to the authority of the State Board
13 of Nursing, licensure by endorsement, and clinical experience.

14 BY repealing and reenacting, with amendments,
15 Article – Health Occupations
16 Section 8–307
17 Annotated Code of Maryland
18 (2009 Replacement Volume and 2012 Supplement)

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

21 **Article – Health Occupations**

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.



1 8-307.

2 (a) Subject to the provisions of this section, the Board may issue a license by
3 endorsement and waive any appropriate examination requirement of this title for an
4 applicant who [is licensed or registered] **HAS AN ACTIVE UNENCUMBERED LICENSE**
5 to practice registered nursing or licensed practical nursing in any other state or
6 country.

7 (b) The Board may issue a license by endorsement under this section only if
8 the applicant:

9 (1) **SUBMITS TO THE BOARD AN APPLICATION ON THE FORM**
10 **THAT THE BOARD REQUIRES;**

11 (2) **SUBMITS TO A CRIMINAL HISTORY RECORDS CHECK IN**
12 **ACCORDANCE WITH § 8-303 OF THIS SUBTITLE;**

13 [(1)] (3) Pays the application fee set by the Board under § 8-304 of
14 this subtitle; and

15 [(2)] (4) Provides adequate evidence that:

16 (i) At the time the applicant graduated from a nursing
17 education program approved in the other state or country, the applicant met the
18 educational qualifications then required by the laws of this State;

19 (ii) At the time the applicant became licensed or registered in
20 the other state or country, the applicant passed in that or any other state or country
21 an examination that was similar to the examination that then was given in this State;
22 and

23 (iii) The applicant meets the qualifications otherwise required by
24 this title.

25 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
26 read as follows:

27 Article – Health Occupations

28 8-307.

29 (c) (1) **THE BOARD MAY WAIVE THE CLINICAL EXPERIENCE**
30 **REQUIREMENTS ESTABLISHED UNDER THIS SUBTITLE FOR AN APPLICANT WHO**
31 **HAS AN ACTIVE UNENCUMBERED LICENSE TO PRACTICE REGISTERED NURSING**
32 **OR LICENSED PRACTICAL NURSING IN ANY OTHER STATE OR COUNTRY BUT**

1 DOES NOT SATISFY THE REQUIREMENT UNDER SUBSECTION (B)(4)(I) OF THIS
2 SECTION, IF THE APPLICANT:

3 ~~(1)~~ (I) GRADUATED FROM A PROGRAM ACCREDITED BY A
4 NURSING ACCREDITATION AGENCY RECOGNIZED BY THE BOARD;

5 ~~(2) HAS NEVER BEEN DISCIPLINED IN ANOTHER STATE OR~~
6 ~~COUNTRY;~~

7 ~~(3) (II) SUBMITS TO THE BOARD SATISFACTORY EVIDENCE OF~~
8 ~~COMPLETING 1,000 HOURS OF ACTIVE NURSING PRACTICE WITHIN THE~~
9 ~~12-MONTH PERIOD IMMEDIATELY PRECEDING THE DATE OF THE APPLICATION~~
10 AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION; AND

11 ~~(4) MEETS THE REQUIREMENTS OTHERWISE REQUIRED BY THIS~~
12 ~~TITLE.~~

13 (III) OTHERWISE MEETS THE REQUIREMENTS OF THIS
14 SECTION.

15 (2) (I) AN APPLICANT APPLYING FOR A REGISTERED NURSE
16 LICENSE UNDER THIS SUBSECTION SHALL SUBMIT EVIDENCE OF COMPLETING
17 1,000 HOURS OF ACTIVE PRACTICE AS A REGISTERED NURSE WITHIN THE
18 12-MONTH PERIOD IMMEDIATELY PRECEDING THE DATE OF THE APPLICATION.

19 (II) AN APPLICANT APPLYING FOR A LICENSED PRACTICAL
20 NURSE LICENSE UNDER THIS SUBSECTION SHALL SUBMIT EVIDENCE OF
21 COMPLETING 1,000 HOURS OF ACTIVE PRACTICE AS A LICENSED PRACTICAL
22 NURSE WITHIN THE 12-MONTH PERIOD IMMEDIATELY PRECEDING THE DATE OF
23 THE APPLICATION.

24 (3) IF AN APPLICANT APPLYING FOR A LICENSE UNDER THIS
25 SUBSECTION HAS BEEN DISCIPLINED IN ANOTHER STATE OR COUNTRY FOR AN
26 ACT THAT WOULD BE A VIOLATION UNDER § 8-316(A) OF THIS SUBTITLE, THE
27 BOARD MAY DENY A LICENSE TO THE APPLICANT.

28 ~~(D)~~ (4) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT
29 THIS SUBSECTION ~~(C) OF THIS SECTION.~~

30 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That, on or before December
31 1, 2016, and December 1, 2018, the State Board of Nursing shall report to the Senate
32 Education, Health and Environmental Affairs Committee and the House Health and
33 Government Operations Committee, in accordance with § 2-1246 of the State
34 Government Article, on the number of registered nurses who have applied for
35 licensure by endorsement under the provisions of ~~§ 8-307~~ § 8-307(c) of the Health

1 Occupations Article, as enacted by Section ~~1~~ 2 of this Act, between October 1, 2013,
2 and October 1, 2016, and between October 1, 2016, and October 1, 2018, respectively.

3 SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take
4 effect October 1, 2013. ~~It~~ Section 2 of this Act shall remain effective for a period of 5
5 years and, at the end of September 30, 2018, with no further action required by the
6 General Assembly, Section 2 of this Act shall be abrogated and of no further force and
7 effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.