

# HOUSE BILL 1325

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By: **Delegate Krebs**

Introduced and read first time: February 15, 2019

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Advanced Practice Registered Nurses – Delegation of**  
3 **Nursing Tasks**

4 FOR the purpose of providing that an unlicensed individual has the right to perform acts  
5 of advanced practice registered nursing under certain circumstances; requiring the  
6 State Board of Nursing to adopt certain regulations; providing that an advanced  
7 practice registered nurse is not precluded from delegating a nursing task to an  
8 unlicensed individual; and generally relating to advanced practice registered nurses  
9 delegating nursing tasks.

10 BY repealing and reenacting, with amendments,  
11 Article – Health Occupations  
12 Section 8–102 and 8–6A–02  
13 Annotated Code of Maryland  
14 (2014 Replacement Volume and 2018 Supplement)

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

17 **Article – Health Occupations**

18 8–102.

19 (a) In this section, “Christian Science nurse” means an individual who is  
20 registered as a Christian Science nurse in the Christian Science Journal of the Christian  
21 Science Publishing Society.

22 (b) Except as specifically provided in this title, this title does not limit the right  
23 of:

24 (1) An individual to practice a health occupation that the individual is

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 authorized to practice under this article;

2 (2) A Christian Science nurse to care for an individual who is ill, injured,  
3 or infirm, if the Christian Science nurse does not administer any drug or medicine; or

4 (3) An unlicensed individual to perform acts of registered nursing [or], acts  
5 of licensed practical nursing, **OR ACTS OF ADVANCED PRACTICE REGISTERED**  
6 **NURSING**;

7 (i) While supervised by an individual who is authorized by this  
8 State to practice registered nursing [or], licensed practical nursing, **OR ADVANCED**  
9 **PRACTICE REGISTERED NURSING**; and

10 (ii) If the unlicensed individual performs only acts that are in the  
11 area of responsibility of the supervisor and under the instruction of the supervisor.

12 **(C) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THE**  
13 **PROVISIONS OF THIS SECTION.**

14 8-6A-02.

15 (a) Except as otherwise provided in this subtitle, an individual shall be certified  
16 by the Board to practice as a nursing assistant or medication technician before the  
17 individual may practice as a nursing assistant or medication technician in the State.

18 (b) This subtitle does not apply to an individual who:

19 (1) Practices a health occupation that the individual is authorized to  
20 practice under this article;

21 (2) Provides for the gratuitous care of friends, domestic partners, or family  
22 members;

23 (3) Performs nursing assistant tasks while a nursing student enrolled in  
24 an accredited nursing program and practicing under the direct supervision of qualified  
25 faculty or preceptors;

26 (4) Performs nursing assistant tasks as a student while:

27 (i) Enrolled in a Board-approved nursing assistant training  
28 program; and

29 (ii) Practicing under the direct supervision of qualified faculty or  
30 preceptors;

31 (5) Performs medication technician tasks as a student while practicing

1 under the direct supervision of qualified faculty; or

2 (6) Works as a principal or school secretary, does not administer  
3 medication as a routine part of the position, and has completed training by the delegating  
4 nurse for the occasion where the individual may need to administer medication in the  
5 absence of the nurse or medication technician.

6 (c) Nothing in this section shall preclude a registered nurse [or], licensed  
7 practical nurse, **OR ADVANCED PRACTICE REGISTERED NURSE** from delegating a  
8 nursing task to an unlicensed individual [provided that acceptance of delegated nursing  
9 tasks does not become a routine part of the unlicensed individual's job duties].

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
11 1, 2019.