



Board of Nursing

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

PUBLIC NOTICE

This notice is given by Gary Hicks, President of the Maryland Board of Nursing (the “Board”), on behalf of the Board, acting pursuant to the Proclamation of Governor Lawrence J. Hogan, Jr. (the “Governor”) dated March 5, 2020 proclaiming a state of emergency and a catastrophic health emergency related to COVID-19, as it may be amended or renewed from time to time, and the Order of the Governor dated March 16, 2020 entitled “Relating to Various Health Care Matters,” as it may be amended from time to time, after finding that the actions described herein will not endanger the public health, welfare, or safety.

- 1) COMAR 10.27.01.03.A.(3) permits registered nurses (RN) and licensed practical nurses (LPN) who hold a current active license in any other state or jurisdiction to render nursing care in Maryland during an emergency situation for not more than 30 days. The 30-day limitation is suspended until the state of emergency is terminated and the catastrophic health emergency is rescinded.
- 2) Inactive licensees must apply to the Board for reactivation of the license, but will not be required to meet the minimum qualifications under § 8-309(d)(1)(i) of the Health Occupations Article, Annotated Code of Maryland (“Health Occ.”) or COMAR 10.27.01.14.C.(1) and (2)(b) for reactivation of the license:
 - a. During the state of emergency and catastrophic health emergency;
 - b. While working at a health care facility in Maryland; and
 - c. If the employment is necessary to meet required staffing ratios or otherwise ensure the continued and safe delivery of health care services.

SPECIAL NOTE REGARDING MEDICAL INACTIVE: Inactive licensees who were placed on inactive status under Health Occ., § 8-309(b)(1)(iii) because of a medical condition that prevented the licensee from practicing as an RN or LPN will still be required to provide documentation with their reactivation application that the medical condition for which the inactive status was granted no longer exists.

- 3) A Nursing Graduate (a graduate of a Board-approved nursing or licensed practical nursing education program, or an out-of-State nursing education program determined

to be equivalent by the Board) may practice nursing without a license in Maryland, in accordance with the requirements under COMAR 10.27.01.03.C.(3)-(7), for the duration of the state of emergency and catastrophic health emergency. The Board will suspend the effect of COMAR 10.27.01.03.C.(2), which limits the amount of time a Nursing Graduate may practice nursing in Maryland before being licensed, until the state of emergency is terminated and the catastrophic health emergency is rescinded.

- 4) RNs and LPNs may delegate nursing tasks to unlicensed individuals, in accordance with the requirements under COMAR 10.27.11.01-.06, for the duration of the state of emergency and catastrophic health emergency. The Board will suspend the effect of Health Occ., § 8-6A-02(c) and COMAR 10.27.11.01.G and 10.27.11.05.E, which prohibit delegation of nursing tasks to an unlicensed individual if acceptance of delegated nursing tasks becomes a routine part of the unlicensed individual's job duties, until the state of emergency is terminated and the catastrophic health emergency is rescinded.
- 5) The language in COMAR 10.27.11.04.C requiring a delegating nurse case manager to perform a supervisory on-site visit to the client every 45 days shall be modified to every 60 days during the state of emergency. This modification shall end upon termination of the state of emergency and catastrophic health emergency.

Any effect of Title 8 of the Health Occupations Article and the implementing regulations in COMAR 10.27 and 10.39 that is inconsistent with the foregoing is temporarily suspended.

This Notice is effective immediately and shall remain in effect until the state of emergency has been terminated and the proclamation of the catastrophic health emergency has been rescinded.



Date March 24, 2020

Gary Hicks, MS, RN, CEN, CNE
President
Maryland State Board of Nursing

PLEASE BE ADVISED: The suspension and/or modification of statutes and regulations during the state of emergency and catastrophic health emergency, as approved by the Board in this public notice, and as proclaimed by the Governor in the March 16, 2020 Executive Order "Relating to Various Health Care Matters," will not be considered as a basis for making these temporary changes permanent.