

has been designated a licensed "nurse" midwife to indicate that only registered nurses are or may be licensed to practice midwifery.

There are two mechanisms by which the Board may recognize an individual as a "nurse midwife". The first mechanism is by licensing as provided in present Art. 43, §§ 82 through 93. The second mechanism is for the Board, through rules and regulations adopted under § 7-205 of this title, to delineate additional acts that are recognized jointly by the medical and nursing professions. However, this second mechanism has not yet been implemented.

Conceivably, the same registered nurse with the same qualifications could have a different scope of action by choosing Board recognition under the additional acts of registered nursing rather than licensing under present Art. 43, §§ 82 through 93.

Present Art. 43, § 89, which relates to the duty of a licensed nurse midwife to file birth and death certificates, is deleted as partially obsolete and, in any event, unnecessary in light of independent provisions of law. See Art. 43, §§ 14 through 28A of the Code.

SUBTITLE 7. PROHIBITED ACTS; PENALTIES.

7-701. PRACTICING WITHOUT LICENSE.

(A) PRACTICING REGISTERED NURSING.

EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A PERSON MAY NOT PRACTICE, ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE REGISTERED NURSING IN THIS STATE UNLESS LICENSED BY THE BOARD TO PRACTICE REGISTERED NURSING.

(B) PRACTICING LICENSED PRACTICAL NURSING.

EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A PERSON MAY NOT PRACTICE, ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE LICENSED PRACTICAL NURSING IN THIS STATE UNLESS LICENSED BY THE BOARD TO PRACTICE LICENSED PRACTICAL NURSING.

REVISOR'S NOTE: This section is new language derived without substantive change from the first clause of the second sentence of Art. 43, § 290 and from Art. 43, §§ 297(c) and 301(a)(3).

The references to "attempt to practice" registered nursing and licensed practical nursing are added to conform to similar provisions governing other health occupations in present Art. 43. See, e.g., Art. 43, § 489(a), as to podiatrists.

As to the exceptions in this section, see §§ 7-102 and 7-301 of this title.