

(ii) The Board may initiate disciplinary action based on the failure of the nurse, [or] nursing assistant, MEDICATION TECHNICIAN, ELECTROLOGIST OR APPLICANT to comply with the conditions of the program in accordance with the provisions of §§ 8-316 and 8-317 OR §§ 8-6B-18 AND 8-6B-19 of this title.

(n) After the Committee has determined that a nurse, [or] nursing assistant, MEDICATION TECHNICIAN, ELECTROLOGIST OR APPLICANT has been rehabilitated, the Committee shall purge and destroy all records concerning a nurse's, [or] nursing assistant's, MEDICATION TECHNICIAN'S, ELECTROLOGIST'S OR APPLICANT'S participation in the program.

(o) All Board and Committee records of a proceeding concerning the rehabilitation of a nurse, [or] nursing assistant, MEDICATION TECHNICIAN, ELECTROLOGIST OR APPLICANT in the program are confidential and are not subject to discovery or subpoena in any civil or criminal action.

(p) The Board shall provide for the representation of any person making reports to the Committee or the Board under this section in any action for defamation directly resulting from reports or information given to the Committee or the Board regarding a nurse's, [or] nursing assistant's, MEDICATION TECHNICIAN'S, ELECTROLOGIST'S OR APPLICANT'S participation in the program.

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) This section does not apply to:

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

(2) 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) 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; or