

State Board of Examiners of Nurses - Impaired
Nurses - Reporting

FOR the purpose of providing an exception for certain nurses reporting requirements to the State Board of Examiners of Nurses for other nurses who are known to have committed certain actions or to have a condition involving drug or alcohol abuse; providing for civil immunity for certain nurses who make reports; providing that a person is not required under this Act to make certain reports; and generally relating to reporting requirements for certain nurses who have a condition involving drug or alcohol abuse.

BY repealing and reenacting, with amendments,

Article - Health Occupations
Section 7-506
Annotated Code of Maryland
(1981 Volume and 1984 Supplement)

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

Article - Health Occupations

7-506.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE FOLLOWING APPLIES:

[(a)] (1) If a nursing administrator, registered nurse, or licensed practical nurse knows of an action or condition that might be grounds for action under § 7-313 of this title, the nursing administrator, registered nurse, or licensed practical nurse shall report the action or condition to the Board[.]; AND

[(b)] (2) An individual who acts without malice is not civilly liable for making a report as required by subsection (a) of this section.

(B) IF A NURSE ADMINISTRATOR, REGISTERED NURSE, OR LICENSED PRACTICAL NURSE HAS REASON TO KNOW THAT A LICENSEE HAS COMMITTED AN ACTION OR HAS A CONDITION THAT MIGHT BE GROUNDS FOR REPRIMAND OR PROBATION OF THE LICENSEE OR SUSPENSION OR REVOCATION OF THE LICENSE UNDER § 7-313 OF THIS TITLE BECAUSE THE LICENSEE IS ALCOHOL IMPAIRED OR DRUG IMPAIRED, THE NURSE ADMINISTRATOR, REGISTERED NURSE, OR LICENSED PRACTICAL NURSE IS NOT REQUIRED TO REPORT THE LICENSEE TO THE BOARD IF:

(1) THE NURSE ADMINISTRATOR, REGISTERED NURSE, OR LICENSED PRACTICAL NURSE KNOWS THAT THE LICENSEE IS IN AN ALCOHOL OR DRUG TREATMENT PROGRAM APPROVED--BY--THE--BOARD THAT IS ACCREDITED BY THE JOINT COMMISSION ON THE ACCREDITATION OF HOSPITALS, IS CERTIFIED BY THE DEPARTMENT, OR IS UNDER THE CARE