

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

**Article – Health Occupations**

8-316.

(a) Subject to the hearing provisions of § 8-317 of this subtitle, the Board may deny a license to any applicant, reprimand any licensee, place any licensee on probation, or suspend or revoke the license of a licensee if the applicant or licensee:

(12) Is [professionally, physically,] PHYSICALLY or mentally incompetent;

(20) Fails to cooperate with a lawful investigation conducted by the Board;  
[or]

(21) Is expelled from the rehabilitation program established pursuant to § 8-208 of this title for failure to comply with the conditions of the program;

(22) DELEGATES NURSING ACTS OR RESPONSIBILITIES TO AN INDIVIDUAL THAT THE APPLICANT OR LICENSEE KNOWS OR HAS REASON TO KNOW LACKS THE ABILITY OR KNOWLEDGE TO PERFORM;

(23) DELEGATES TO AN UNLICENSED INDIVIDUAL NURSING ACTS OR RESPONSIBILITIES THE APPLICANT OR LICENSEE KNOWS OR HAS REASON TO KNOW ARE TO BE PERFORMED ONLY BY A REGISTERED NURSE OR LICENSED PRACTICAL NURSE;

(24) FAILS TO PROPERLY SUPERVISE INDIVIDUALS TO WHOM NURSING ACTS OR RESPONSIBILITIES HAVE BEEN DELEGATED;

(25) ENGAGES IN CONDUCT THAT VIOLATES THE PROFESSIONAL CODE OF ETHICS; OR

(26) IS PROFESSIONALLY INCOMPETENT.

(b) If, after a hearing under § 8-317 of this subtitle, the Board finds that there are grounds under subsection (a) of this section to suspend or revoke a license to practice registered nursing or licensed practical nursing, to reprimand a licensee, or place a licensee on probation, the Board may impose a penalty not exceeding \$5,000 INSTEAD OF OR in addition to suspending or revoking the license, reprimanding the licensee, or placing the licensee on probation.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1994.

Approved May 2, 1994.