

~~2. A nursing staff agency operated by a health care facility solely for the purpose of procuring, furnishing, or referring temporary or permanent nursing personnel for employment at that health care facility;~~

~~3. A home health agency regulated under Title 19, Subtitle 4 of the Health—General Article; or~~

~~4. Any nursing personnel procuring, furnishing, or referring their own services to a health care facility without the direct or indirect assistance of a nursing staff agency.~~

~~(6) "Responsible party" means the individual at a nursing staff agency who controls the day to day operation of the nursing staff agency.~~

~~(g) Before initially providing or referring a [geriatric] CERTIFIED nursing assistant to related institutions to render temporary services, the nursing staff agency shall verify with the [Office of Licensing and Certification Programs of the Department] BOARD that the [geriatric] nursing assistant [complies with the applicable standards under the regulations adopted under § 19-308.1 of the Health—General Article] IS DULY CERTIFIED AND QUALIFIED TO PROVIDE PATIENT CARE.~~

~~(h) (1) A nursing staff agency may not knowingly provide or refer a licensed practical nurse who is not authorized to practice licensed practical nursing under this title to a health care facility to render temporary nursing services.~~

~~(2) A nursing staff agency may not knowingly provide or refer a registered nurse who is not authorized to practice registered nursing under this title to a health care facility to render temporary nursing services.~~

~~(3) A NURSING STAFF AGENCY MAY NOT KNOWINGLY PROVIDE OR REFER A NURSING ASSISTANT WHO IS NOT AUTHORIZED TO PROVIDE PATIENT CARE UNDER THIS TITLE TO A HEALTH CARE FACILITY TO RENDER TEMPORARY PATIENT CARE.~~

~~(i) (1) Except as provided in paragraph (2) of this subsection:~~

~~(i) If a nursing staff agency knows of an action or condition performed by a licensed practical nurse [or], registered nurse, OR CERTIFIED NURSING ASSISTANT provided or referred by that nursing staff agency that might be grounds for action under § 8-316 of this title, the nursing staff agency shall report the action or condition to the Board; and~~

~~(ii) An individual shall have immunity from liability described under § 5-709 of the Courts and Judicial Proceedings Article for making a report as required under this paragraph.~~

~~(2) A nursing staff agency is not required under this subsection to make any report that would be in violation of any federal or State law, rule, or regulation concerning the confidentiality of alcohol and drug abuse patient records.~~

8-6A-01.

(a) In this subtitle the following words have the meanings indicated.