

SECTION 2. BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Health - General

SUBTITLE 20. NURSING STAFF AGENCIES.

19-2001.

(a) (1) In this [section] SUBTITLE the following words have the meanings indicated.

(2) "CLIENT FACILITY" MEANS A HEALTH CARE FACILITY THAT CONTRACTS WITH A NURSING STAFF AGENCY FOR THE REFERRAL OF NURSING PERSONNEL.

[(2)] (3) "Health care facility" means a hospital or related institution as defined in § 19-301 of [the Health - General Article] THIS ARTICLE.

[(3)] (4) "Initially providing or referring" means the first time a nursing staff agency provides or refers a particular licensed practical nurse, registered nurse, or [geriatric] CERTIFIED nursing assistant to a health care facility.

[(4)] (5) "Nursing personnel" means:

(i) Any individual licensed by the State Board of Nursing as a:

1. Licensed practical nurse; or
2. Registered nurse; or

(ii) A [geriatric] CERTIFIED nursing assistant [who complies with the provisions of § 19-308.1 of the Health - General Article for patient care personnel].

[(5)] (6) (i) "Nursing staff agency" means any person, firm, corporation, partnership, or other business entity engaged in the business of ~~providing or~~ referring nursing personnel AS EMPLOYEES OR INDEPENDENT CONTRACTORS to render temporary nursing services at a health care facility in the State.

(ii) "Nursing staff agency" does not include:

[1. Any person, firm, corporation, partnership, or other business entity engaged solely in the business of providing or referring nursing personnel to render private duty nursing care at a health care facility;

2.] 1. 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.] 2. A home health agency regulated under Title 19, Subtitle 4 of [the Health - General Article] THIS ARTICLE; or