

(III) FOR A THIRD OR SUBSEQUENT OFFENSE, UP TO \$10,000 PER VIOLATION OR UP TO \$10,000 PER DAY IN VIOLATION UNTIL THE NURSING STAFF AGENCY COMPLIES WITH THE REQUIREMENTS OF THIS SUBTITLE.

(2) Each day a violation continues is a separate violation.

(J) A NURSING STAFF AGENCY IS NOT A PROVIDER OF HEALTH CARE PROVIDER.

19-2002.

(A) IN THIS SECTION, "OFFICE" MEANS THE OFFICE OF HEALTH CARE QUALITY IN THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

~~(B) THE OFFICE SHALL MAKE A SITE VISIT AND CONDUCT A FULL SURVEY OF EACH REGISTERED NURSING STAFF AGENCY PERIODICALLY MAY INSPECT A NURSING STAFF AGENCY TO VERIFY COMPLIANCE WITH THIS SUBTITLE.~~

(C) WHEN THE OFFICE CONDUCTS ~~A SURVEY~~ AN INSPECTION, THE OFFICE SHALL VERIFY THAT THE NURSING PERSONNEL REFERRED BY THE NURSING STAFF AGENCY:

(1) ~~(A)~~ IF REGISTERED NURSES OR LICENSED PRACTICAL NURSES, ARE LICENSED BY THE BOARD; OR

~~(H)~~ (2) IF CERTIFIED NURSING ASSISTANTS, ARE CERTIFIED BY THE BOARD, AND BOARD.

~~(2) ARE COMPLETING HAVE COMPLETED CONTINUING EDUCATION REQUIREMENTS.~~

(D) WHEN THE OFFICE CONDUCTS ~~A SURVEY~~ AN INSPECTION, THE OFFICE SHALL VERIFY THAT THE NURSING STAFF AGENCY HAS DEVELOPED, DOCUMENTED, AND IMPLEMENTED PROCEDURES FOR:

(1) SELECTING AND ~~CREDENTIALING~~ VERIFYING THE CREDENTIALS OF NURSING PERSONNEL ~~PROVIDED~~ REFERRED BY THE AGENCY;

(2) ~~VALIDATING COMPETENCIES AND PROCEDURES FOR PERFORMANCE EVALUATION~~ SKILLS EXPERIENCE OF NURSING PERSONNEL PRIOR TO REFERRAL BY THE AGENCY;

~~(3) DISCIPLINING NURSING PERSONNEL PROVIDED BY THE AGENCY;~~

(3) TRACKING AND ACTING ON SERIOUS OR LIFE-THREATENING COMPLAINTS RECEIVED BY A CLIENT OR THEIR AGENT FACILITY OR THE CLIENT FACILITY'S AGENT;

(4) REFERRAL REPORTING OF AN ACTION OR CONDITION UNDER § 19-2001(H) OF THIS SUBTITLE;

~~(4)~~ (5) VERIFYING THAT NURSING PERSONNEL REFERRED BY THE NURSING STAFF AGENCY ARE OF SATISFACTORY HEALTH STATUS AND CURRENT