

(III) FOR A THIRD OR SUBSEQUENT OFFENSE, UP TO \$10,000 PER VIOLATION OR UP TO \$10,000 PER DAY 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 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) ~~(4)~~ IF REGISTERED NURSES OR LICENSED PRACTICAL NURSES, ARE LICENSED BY THE BOARD; OR

~~(4)~~ (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 PRIOR TO REFERRING NURSING PERSONNEL TO A CLIENT FACILITY OF NURSING PERSONNEL PRIOR TO REFERRAL BY THE AGENCY;

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

~~(3) TRACKING OR AND ACTING ON SERIOUS OR LIFE-THREATENING COMPLAINTS RECEIVED BY A CLIENT OR THE CLIENT'S 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 IMMUNIZATION STATUS HAVE RECEIVED THE NECESSARY TESTING AND IMMUNIZATION AS REQUIRED OR REQUESTED BY THE CLIENT FACILITY;~~