

(4) Review investigations of complaints against nursing assistants OR MEDICATION TECHNICIANS and make recommendations to the Board for disciplinary action;

(5) Keep a record of its proceedings; and

(6) Submit an annual report to the Board.

8-6A-15.

(a) If, during the investigation of an allegation brought against a certified nursing assistant OR CERTIFIED MEDICATION TECHNICIAN under this subtitle, the Board has reason to believe that the certified nursing assistant OR CERTIFIED MEDICATION TECHNICIAN may cause harm to a person affected by the practice of the certified nursing assistant OR CERTIFIED MEDICATION TECHNICIAN, the Board, on its own initiative, shall direct the certified nursing assistant OR CERTIFIED MEDICATION TECHNICIAN to submit to an appropriate examination by a health care provider designated by the Board.

(b) In return for the privilege given to a certified nursing assistant OR CERTIFIED MEDICATION TECHNICIAN to practice in the State, the certified nursing assistant OR CERTIFIED MEDICATION TECHNICIAN is deemed to have:

(1) Consented to submit to an examination under this section if requested by the Board in writing; and

(2) Waived any legal claim of privilege as to the testimony or examination reports of the examining health care provider.

(c) The failure or refusal of a certified nursing assistant OR CERTIFIED MEDICATION TECHNICIAN to submit to an examination required under subsection (b) of this section is prima facie evidence of the inability of the certified nursing assistant OR CERTIFIED MEDICATION TECHNICIAN to competently practice as a certified nursing assistant OR CERTIFIED MEDICATION TECHNICIAN, unless the Board finds that the failure or refusal was beyond the control of the certified nursing assistant OR CERTIFIED MEDICATION TECHNICIAN.

(d) The Board shall pay the cost of any examination made in accordance with the provisions of this section.

8-706.

(a) A person may not knowingly employ to practice registered nursing any person who is not authorized to practice registered nursing under this title.

(b) A person may not knowingly employ to practice licensed practical nursing any person who is not authorized to practice licensed practical nursing under this subtitle.

(C) A ~~DIRECTOR OF NURSING PERSON~~ MAY NOT KNOWINGLY EMPLOY ANY INDIVIDUAL WHO IS NOT AUTHORIZED TO PERFORM DELEGATED NURSING DUTIES UNDER THIS SUBTITLE.