

(II) A GERIATRIC NURSING ASSISTANT WHO COMPLIES WITH THE PROVISIONS OF § 19-308.1 OF THE HEALTH - GENERAL ARTICLE FOR PATIENT CARE PERSONNEL.

(5) (I) "NURSING STAFF AGENCY" MEANS ANY PERSON, FIRM, CORPORATION, PARTNERSHIP, OR OTHER BUSINESS ENTITY ENGAGED IN THE BUSINESS OF PROVIDING OR REFERRING NURSING PERSONNEL TO RENDER TEMPORARY NURSING SERVICES AT A HEALTH CARE FACILITY IN THE STATE.

(II) "NURSING STAFF AGENCY" DOES NOT INCLUDE:

1. A PERSON RENDERING 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. 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 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.

(B) ALL NURSING STAFF AGENCIES SHALL SUBMIT TO THE BOARD THE NURSING STAFF AGENCY'S:

- (1) BUSINESS NAME;
- (2) BUSINESS ADDRESS;
- (3) BUSINESS TELEPHONE NUMBER; AND
- (4) RESPONSIBLE PARTY.

(C) (1) BEFORE INITIALLY PROVIDING OR REFERRING A LICENSED PRACTICAL NURSE OR REGISTERED NURSE TO HEALTH CARE FACILITIES TO RENDER TEMPORARY NURSING SERVICES THE NURSING STAFF AGENCY SHALL: