

DEPARTMENT THAT THE GERIATRIC NURSING ASSISTANT COMPLIES WITH THE APPLICABLE STANDARDS UNDER THE REGULATIONS ADOPTED UNDER § 19-308.1 OF THE HEALTH - GENERAL ARTICLE.

(E) (1) A NURSING STAFF AGENCY MAY NOT KNOWINGLY PROVIDE OR REFER A LICENSED PRACTICAL NURSE WHO IS NOT AUTHORIZED TO PRACTICE LICENSED PRACTICAL NURSING UNDER THIS TITLE TO A HEALTH CARE FACILITY TO RENDER TEMPORARY NURSING SERVICES.

(2) A NURSING STAFF AGENCY MAY NOT KNOWINGLY PROVIDE OR REFER A REGISTERED NURSE WHO IS NOT AUTHORIZED TO PRACTICE REGISTERED NURSING UNDER THIS TITLE TO A HEALTH CARE FACILITY TO RENDER TEMPORARY NURSING SERVICES.

(F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION:

(I) IF A NURSING STAFF AGENCY KNOWS OF AN ACTION OR CONDITION PERFORMED BY A LICENSED PRACTICAL NURSE OR REGISTERED NURSE PROVIDED OR REFERRED BY THAT NURSING STAFF AGENCY THAT MIGHT BE GROUNDS FOR ACTION UNDER § 8-316 OF THIS TITLE, THE NURSING STAFF AGENCY SHALL REPORT THE ACTION OR CONDITION TO THE BOARD; AND

(II) AN INDIVIDUAL SHALL HAVE IMMUNITY FROM LIABILITY DESCRIBED UNDER § 5-386 OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE FOR MAKING A REPORT AS REQUIRED UNDER THIS PARAGRAPH.

~~(2) IF A NURSING STAFF AGENCY HAS REASON TO KNOW THAT THE LICENSED PRACTICAL NURSE OR REGISTERED NURSE BEING PROVIDED OR REFERRED BY THAT NURSING STAFF AGENCY HAS COMMITTED AN ACTION OR HAS A CONDITION THAT MIGHT BE GROUNDS FOR REPRIMAND OR PROBATION OF THE LICENSED PRACTICAL NURSE OR REGISTERED NURSE OR SUSPENSION OR REVOCATION OF THE LICENSED PRACTICAL NURSE OR REGISTERED NURSE'S LICENSE UNDER § 8-316 OF THIS TITLE BECAUSE THE LICENSEE IS ALCOHOL IMPAIRED OR DRUG IMPAIRED, THE NURSING STAFF AGENCY IS NOT REQUIRED TO REPORT THE LICENSEE TO THE BOARD IF:~~

~~(1) THE NURSING STAFF AGENCY KNOWS THAT THE LICENSED PRACTICAL NURSE OR REGISTERED NURSE BEING PROVIDED OR REFERRED BY THAT NURSING STAFF AGENCY IS IN AN ALCOHOL OR DRUG TREATMENT PROGRAM THAT IS ACCREDITED BY THE JOINT COMMISSION ON THE ACCREDITATION OF HOSPITALS, IS CERTIFIED BY THE DEPARTMENT, OR IS UNDER THE CARE OF A HEALTH CARE PRACTITIONER WHO IS COMPETENT AND CAPABLE OF DEALING WITH THE ALCOHOLISM AND DRUG ABUSE; AND~~