



Board of Nursing

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

MBON Communication: Nursing Students, CNA/GNA/MT Students, and Nursing Graduates

There has been some confusion regarding the extent to which students enrolled in Board-approved nursing education programs and Board-approved CNA/GNA training programs may practice nursing or nursing assistance prior to actual licensure or certification. Additionally, there is some confusion regarding Nursing Graduates and the extent to which they may practice nursing after graduating from a Board-approved nursing education program. The following information is provided in order to clarify these issues.

Nursing Students

The general requirement to be licensed before practicing registered nursing or licensed practical nursing in Maryland does not apply to “a student enrolled in an approved education program while practicing registered nursing or licensed practical nursing *in that program*.” Md. Code Ann., Health Occupations Article, § 8-301(c)(1) (emphasis added). In other words, a nursing student enrolled in an approved nursing education program may practice nursing while actively engaged in a school-sponsored and supervised clinical learning experience.

Similarly, pursuant to § 8-6A-02(b)(3) of the Health Occupations Article, Md. Code Ann., an individual may “perform nursing assistant tasks while a nursing student enrolled in an accredited nursing program and practicing *under the direct supervision of qualified faculty or preceptors*.” Again, in order to fall within this particular exception to certification, the nursing student must be actively engaged in a school-sponsored and supervised clinical learning experience.

Nursing students wishing to practice as a CNA outside the context of a school-sponsored and supervised clinical learning experience must apply for and obtain certification as a CNA. Pursuant to § 8-6A-05(c)(1)(ii)(3) of the Health Occupations Article, Md. Code Ann., an individual applying for CNA certification may qualify for initial certification by providing evidence of successful completion of “[a] portion of an approved nursing education program that the Board determines meets the requirements of a nursing assistant training program.”

CNA/GNA/MT Students

As in the nursing context, the general requirement to be certified before practicing as a nursing assistant or medication technician in Maryland does not apply to “a student while...enrolled in a Board-approved nursing assistant training program...and...practicing *under the direct supervision of qualified faculty or staff*” or “a student [in a Board-approved medication technician training program] while practicing *under the direct supervision of qualified faculty*.” Md. Code Ann., Health Occupations Article, § 8-6A-02(b)(4) and (b)(5) (emphasis added). So, like nursing students, CNA/GNA/MT students are permitted to perform nursing assistant tasks

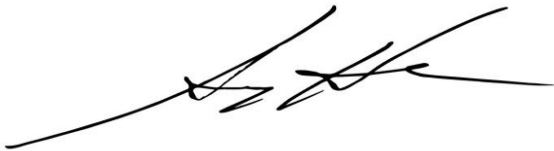
and medication technician tasks while enrolled in Board-approved CNA/GNA/MT training programs and actively engaged in supervised clinical training.

Nursing Graduates

A “Nursing Graduate,” defined as a graduate of a Board-approved registered nursing or licensed practical nursing education program, or an out-of-state nursing education program determined to be equivalent by the Board, may practice registered nursing or licensed practical nursing, pursuant to the specific limitations as set forth in COMAR 10.27.01.03(C)(5)-(7), ***until the earlier of*** “90 days from graduation” or “receipt of the results from the initial NCLEX examination taken.” COMAR 10.27.01.03(C)(2).

Moreover, “if the nursing graduate fails the NCLEX examination, the nursing graduate may practice as a nursing assistant ***provided the individual obtains certification as a nursing assistant*** and practices according to COMAR 10.39.01.” COMAR 10.27.01.03(c)(4).

Most importantly, a nursing graduate may not “work without the physical presence of and direct supervision by a registered nurse.” COMAR 10.27.01.03(C)(7)(a).



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