

19-1502.

(A) UNLESS REGISTERED WITH THE SECRETARY IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE, A NURSING STAFF AGENCY MAY NOT PROCURE, FURNISH, OR REFER NURSING PERSONNEL TO RENDER TEMPORARY NURSING SERVICES AT A HEALTH CARE FACILITY OR A PERSONAL RESIDENCE IN THE STATE.

(B) (1) IN CONSULTATION WITH THE ADVISORY COUNCIL ON NURSING STAFF AGENCIES ESTABLISHED UNDER THIS SECTION, THE SECRETARY SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SUBTITLE.

(2) (1) THE GOVERNOR SHALL APPOINT AN ADVISORY COUNCIL ON NURSING STAFF AGENCIES FOR THE PURPOSE OF ADVISING THE SECRETARY IN THE ADOPTION OF REGULATIONS UNDER THIS SECTION.

(II) THE ADVISORY COUNCIL SHALL CONSIST OF:

1. 1 REPRESENTATIVE OF THE MARYLAND HOSPITAL ASSOCIATION;
2. 1 REPRESENTATIVE OF NURSING HOMES IN THE STATE;
3. 1 REPRESENTATIVE OF THE STATE BOARD OF NURSING; AND
4. 2 REPRESENTATIVES OF NURSING STAFF AGENCIES OPERATING IN THE STATE.

(C) (1) THE SECRETARY SHALL SET ~~REASONABLE~~ FEES FOR THE REGISTRATION AND REGISTRATION RENEWAL OF NURSING STAFF AGENCIES.

~~(2) SUBJECT TO THE PROVISIONS OF PARAGRAPH (3) OF THIS SUBSECTION, THE FEES CHARGED BY THE SECRETARY SHALL BE SET IN A MANNER WHICH WILL PRODUCE FUNDS SUFFICIENT TO COVER THE ACTUAL DIRECT AND INDIRECT COSTS OF MAINTAINING THE REGISTRATION PROGRAM UNDER THIS SUBTITLE.~~

~~(3) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION, THE FEES SET FOR THE REGISTRATION AND REGISTRATION RENEWAL OF NURSING STAFF AGENCIES MAY NOT BE MORE THAN \$750 FOR EACH 3 YEAR REGISTRATION OR REGISTRATION RENEWAL PERIOD OF A NURSING STAFF AGENCY.~~

(4) (3) ALL FUNDS COLLECTED UNDER THIS SUBTITLE SHALL BE PAID INTO THE GENERAL FUND OF THE STATE TO THE STATE BOARD OF NURSING FOR THE PURPOSE OF CONDUCTING HEARINGS AND INVESTIGATIONS UNDER § 19-1504 OF THIS SUBTITLE.