

PRACTICE QUESTION: Nursing care provided while traveling through Maryland

QUESTION: I am planning a school sponsored field trip from A NON-COMPACT STATE to Washington DC. The Middle School students and staff will be staying in Maryland during the trip and a licensed RN will be traveling with them. My home STATE does not participate in the Nurse Licensure Compact. We have been instructed by the STATE Department of Health, School Health Advisors that nurses must request and receive permission from the respective state's board of nursing, to practice in another state (NCSBN, 2012). The nurse must also know the nursing laws/regulations of that state and practice accordingly. This includes the laws regarding delegation of tasks to a non-nurse school staff member and performing the necessary health services (NCSBN, 2012). How do the nurses receive this permission from your state? Where can I locate Maryland's laws and regulations for school nurses? Thank you for your assistance.

ANSWER: Thank you for your inquiry. Based on your representation that an actively licensed RN from the STATE will be accompanying the students while they stay in Maryland, please refer to Md. Code Ann., Health Occupations Article, section 8-301(c)(3)(i), which governs the practice of actively licensed RNs who are in Maryland temporarily. It states as follows:

8-301

(a) Except as otherwise provided in this title, an individual shall be licensed by the Board before the individual may practice registered nursing in this State.

...

(c) This section does not apply to:

...

(3) An individual permitted to practice registered nursing or licensed practical nursing under rules and regulations adopted by the Board, if the individual:

(i) Otherwise has qualified to practice registered nursing or licensed practical nursing in any other state or country and is in this State temporarily;

Further, under the Code of Maryland Regulations, the Board has set out rules that govern temporary practice in this State. The relevant provision states as follows:

COMAR 10.27.01.03A. Registered nurses or licensed practical nurses who hold a current active license in any other state or jurisdiction may render nursing care:

(1) For not more than 30 days, to an individual who is visiting the State for medical or personal reasons;

Under these two provisions, an actively licensed RN from STATE would be permitted to render nursing care to students while in Maryland temporarily, so long as the period of care does not exceed 30 days.

You can reference the laws governing nurses in Maryland by accessing the Nurse Practice Act at: [https://govt.westlaw.com/mdc/Index?transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/mdc/Index?transitionType=Default&contextData=(sc.Default)). You will find the Act under the Health Occupations Article, Title 8. Nurses.

You can reference the regulations governing nurses in Maryland by accessing the Code of Maryland Regulations at: <http://www.dsd.state.md.us/COMAR/ComarHome.html>. The relevant regulations are found under Title 10, Subtitle 27.

There are no provisions in the Maryland Nurse Practice Act or the regulations that require a licensed RN who is in Maryland temporarily to seek permission before practicing under the provisions cited above.
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