

Ethics Code

**Authority: Health Occupations article, §§8-205(a)(1) (2) 8-6A-10
Annotated Code of Maryland**

Statement of Purpose

The purpose of this action is to establish a code of ethics for Certified Nursing Assistants and Certified Medication Technicians.

Definitions

In this chapter, the following terms have the meanings indicated:

1. **Abandonment means:**

- (a) Termination by a certificate holder of a client assignment that was accepted by the certificate holder, without reasonable notification to the immediate supervisor to allow for the continuation of the client's care.
- (b) Refusal by a certificate holder of an assignment, mandatory overtime, or both in the event of a natural disaster or a federal, State, country, or city declaration of an emergency; or
- (c) Failure of a certificate holder to report for assigned duty or leaving a client unattended at the end of the assigned shift if the certificate holder is the sole provider of care for a private duty or hospice assignment and does not provide prior notification to the nursing supervisor, the cognitively capable adult client, or the client's designated representative.
- (d) Abandonment does not include the declining by a certificate holder of employer-stipulated mandatory overtime.

2. **Accepting an assignment means:** a certificate holder has arrived on duty and assumed responsibility for client care.

3. **Board means** the Board of Nursing.

4. **Certificate holder means:** an individual who is certified under Health Occupations Article, § 8-6A-05 or 8-6A-08, Annotated Code of Maryland, as either a certified nursing assistant in any category or a medication technician.

5. **Client means:** a patient, resident, or recipient of care.

Ethical Responsibilities

A. A certificate holder shall:

1. Respect the human dignity and uniqueness of a client and provide services unrestricted by consideration of social or economic status, religion affiliation, personal attributes, or the nature of health problems.
2. Safeguard a client's right to privacy by maintaining confidentiality of information.
3. Act to safeguard a client and the public if health care and safety are affected by the incompetent, unethical, or illegal practice of any individual.
4. Assume responsibility and accountability for the individual certificate holder's judgments and actions.
5. Maintain practice competence.
6. Inform the Board of unethical conduct by another certificate holder.
7. Demonstrate honesty and integrity in the performance of tasks, functions, and activities.
8. Perform nursing tasks, functions, and activities based on a certificate holder's education and training, and at the direction of the supervising nurse.

B. A certificate holder may not, when acting in the capacity or identity of a certificate holder:

1. Abandon a client or assignment after assuming care for the client or accepting the assignment.
2. Knowingly participate in or condone dishonesty, fraud, deceit, or misrepresentation.
3. Engage or participate in an action that violates or diminishes the civil or legal rights of a client.
4. Assume duties and responsibilities without adequate preparation or maintaining competency.
5. Practice if unfit to perform procedures because of physical or mental impairment including, but not limited to, the effects of prescription drugs.

C. A certificate holder may not engage in the following behaviors that dishonor the practice, whether or not acting in the capacity or identity of a certificate holder, including, but not limited to:

1. Verbal abuse, including use of a racial or ethnic slur, toward a coworker, employer, client, or client's family member.
2. Physical abuse of, making threats toward, or intimidation of a coworker, employer, client, or client's family member.

3. Deceiving, defrauding, or stealing from a coworker, employer, client, or client's family member.
4. Diverting any medication or providing false or misleading information to an authorized prescriber or a pharmacist to obtain or attempt to obtain any medication.
5. Knowingly employing another individual to practice or engage in or attempt to practice or engage in an occupation or profession licensed under this title if the employee is not licensed to do so under Health Occupations Article, Title 8, Annotated Code of Maryland.
6. Obtaining or copying any part of a client's health record.
7. Using, possessing, supplying, administering, or attempting to use, possess, supply, or administer prescription drugs or controlled dangerous substances without valid medical indication.
8. Reporting for employment under the influence of alcohol or drugs or submitting a preemployment specimen that is positive for alcohol or drugs, without providing evidence of valid prescriptions for all drugs in the sample.
9. Using the power, influence, or knowledge obtained during the certificate holder's relationship with the client for the certificate holder's personal gratification or benefit.
10. Arranging or permitting another holder or unlicensed person to replace the certificate holder or utilize the certificate holder's certificate to provide care to a client.

D. A certificate holder may not engage in sexual misconduct including, but not limited to:

1. Sexual behavior with a client during the performance of a procedure or service for the client, regardless of the setting in which the service is rendered.
2. Sexual behavior with a client under any pretext of therapeutic intent or benefit.
3. Solicitation of a sexual relationship, whether consensual or nonconsensual, with a client.
4. Sexual advances toward or requesting sexual favors from a client.
5. Discussion of sexual matters while caring for a client.
6. Taking photographs of a client for a sexual purpose or personal gratification.
7. Sexual harassment of a coworker, student, employer, client, or client's family member.
8. Sexual contact with an incompetent or unconscious client.
9. Intentionally exposing any of the certificate holder's sexual body parts; and
10. Intentionally exposing any of the client's sexual body parts for a non-therapeutic purpose.

Penalties

Violation of this chapter may result in the Board taking disciplinary action against a certificate holder pursuant to Health Occupations Article, §8-6A-10, Annotated Code of Maryland.

Employee Signature

Employee Print Name

Date