

SB0549/296680/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 549
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 13, after “action;” insert “requiring a disciplinary panel to give an individual against whom certain action is contemplated an opportunity for a hearing before a hearing officer;”; in line 36, after “14-302(a),” insert “14-302.1;”; and in line 43, after “15-313,” insert “15-315(a)(1).”.

AMENDMENT NO. 2

On page 9, after line 26, insert:

“14-302.1.

[(a) Subject to subsection (b) of this section, a] **A** physician who is licensed and resides in another jurisdiction may practice medicine without a license while engaged in clinical training with a licensed physician if:

(1) The Board finds, on application by a hospital in the State, that:

(i) The physician possesses a skill or uses a procedure that:

1. Is advanced beyond those skills or procedures normally taught or exercised in the hospital and in standard medical education or training;

2. Could not be otherwise conveniently taught or demonstrated in standard medical education or training in that hospital; and

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3. Is likely to benefit Maryland patients in this instance;

(ii) The demonstration of the skill or procedure would take no more than 14 consecutive days within a calendar year;

(iii) A licensed physician who practices at a hospital in the State has certified to the Board that the licensed physician will be responsible for the medical care provided by that visiting physician to patients in the State;

(iv) The visiting physician has no history of any medical disciplinary action in any other state, territory, nation, or any branch of the United States uniformed services or the Veterans Administration, and has no significant detrimental malpractice history in the judgment of the Board;

(v) The physician is covered by malpractice insurance in the jurisdiction in which the physician practices; and

(vi) The hospital assures the Board that the patients will be protected by adequate malpractice insurance; or

(2) The Board finds, on application by a Maryland hospital, that:

(i) The hospital provides training in a skill or uses a procedure that:

1. Is advanced beyond those skills or procedures normally taught or exercised in standard medical education or training;

2. Could not be otherwise conveniently taught or demonstrated in the visiting physician's practice; and

3. Is likely to benefit Maryland patients in this instance;

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(ii) The demonstration or exercise of the skill or procedure will take no more than 14 consecutive days within a calendar year;

(iii) A hospital physician licensed in the State has certified to the Board that the physician will be responsible for the medical care provided by that visiting physician to patients in the State;

(iv) The visiting physician has no history of any medical disciplinary action in any other state, territory, nation, or any branch of the United States uniformed services or the Veterans Administration, and has no significant detrimental malpractice history in the judgment of the Board;

(v) The physician is covered by malpractice insurance in the jurisdiction where the physician practices; and

(vi) The hospital assures the Board that the patients will be protected by adequate malpractice insurance.

[(b) A physician who is licensed and resides in another jurisdiction may practice medicine without a license under subsection (a) of this section if the physician submits to a criminal history records check in accordance with § 14–308.1 of this subtitle.]”.

AMENDMENT NO. 3

On page 37, in line 4, strike “§ 15-313” and substitute “§ 15-315”; strike beginning with “OR” in line 14 down through “PANEL” in line 16 and substitute “, **THE BOARD SHALL GIVE THE LICENSEE THE OPPORTUNITY FOR A HEARING BEFORE THE BOARD**”; in lines 17 and 19, in each instance, strike “**OR DISCIPLINARY PANEL**”; in line 23, strike “**applicant**” and substitute “**LICENSEE**”; in lines 24 and 25, strike “**OR A DISCIPLINARY PANEL DENYING A LICENSE**”; and after line 26, insert:

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“15–315.

(a) (1) Except as otherwise provided under § 10–226 of the State Government Article, before a disciplinary panel takes any action under § 15-311 OR § 15–314(a) of this subtitle, the disciplinary panel shall give the individual against whom the action is contemplated an opportunity for a hearing before a hearing officer.”.

AMENDMENT NO. 4

On page 41, in line 1, strike “December” and substitute “October”.