

SENATE BILL 899

J2

2lr3089

By: **Senator Kagan**

Introduced and read first time: February 7, 2022

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations Boards – Authority Over Staffing and Infrastructure**
3 **Operations**

4 FOR the purpose of establishing that the Secretary of Health has authority over the
5 infrastructure operations of health occupations boards and commissions; altering the
6 method of selecting officers of certain health occupations boards; specifying the term
7 of the president or chair of certain health occupations boards; establishing
8 procedures for the filling of certain vacancies on certain health occupations boards;
9 requiring the Secretary of Budget and Management, in consultation with the
10 Secretary of Health, to determine the positions for which the Secretary of Health
11 may set compensation; prohibiting certain special funds from being used to pay for
12 infrastructure operations; and generally relating to the organization and operation
13 of certain health occupations boards.

14 BY repealing and reenacting, with amendments,

15 Article – Health Occupations

16 Section 1–203(b), 1A–204(d), 1A–206(d)(1), 2–203, 2–204(d), 2–206(e)(1),
17 3–203, 3–204(d), 3–206(d)(1), 4–203, 4–204(c), 4–207(d)(1), 5–203, 5–204(d),
18 5–206(d)(1), 6–203, 6–204, 6–207(d)(1), 7–203, 7–204(d), 7–206(d)(1), 8–203,
19 8–206(e)(1), 9–203, 9–204(d), 10–203, 10–204(d), 10–206(d)(1), 11–203,
20 11–204(d), 11–207(d)(1), 12–203, 12–204(d), 12–206(d)(1), 13–203,
21 13–207(d)(1), 14–203, 14–207(e)(1), 16–203, 16–204(d), 16–206(d)(1), 17–203,
22 17–204(d), 17–206(d)(1), 18–203, 18–207(d)(1), 19–203, 19–204(d),
23 19–206(f)(1), 20–203, 20–204(d) and (e), 21–203, and 21–204(d) and (e)

24 Annotated Code of Maryland

25 (2021 Replacement Volume)

26 BY repealing

27 Article – Health Occupations

28 Section 1A–203, 2–204(e), 8–204(d), 13–204, 13–205(d), 18–204(d), 19–204(e), and
29 20–204(f)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2021 Replacement Volume)

3 BY adding to
4 Article – Health Occupations
5 Section 1A–203, 2–204(e), 8–204(d), 13–204, and 18–204(d)
6 Annotated Code of Maryland
7 (2021 Replacement Volume)

8 BY repealing and reenacting, without amendments,
9 Article – Health Occupations
10 Section 1A–206(a), 2–206(a), 3–206(a), 4–207(a), 5–206(a), 6–207(a), 7–206(a),
11 8–206(a), 10–206(a), 11–207(a), 12–206(a), 13–207(a), 14–207(a), 16–206(a),
12 17–206(a), 18–207(a), and 19–206(a)
13 Annotated Code of Maryland
14 (2021 Replacement Volume)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Health Occupations**

18 1–203.

19 (b) (1) (I) IN THIS SUBSECTION, “INFRASTRUCTURE OPERATIONS”
20 MEANS THE ADMINISTRATIVE ACTIVITIES OF A BOARD OR COMMISSION
21 ESTABLISHED UNDER THIS ARTICLE, INCLUDING TOOLS AND RESOURCES FOR THE
22 USE AND SUPPORT OF DELIBERATIVE ACTIONS.

23 (II) “INFRASTRUCTURE OPERATIONS” DOES NOT INCLUDE
24 LICENSING, INVESTIGATION, OR DISCIPLINARY ACTIVITIES.

25 (2) [The] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS
26 SUBSECTION, THE power of the Secretary to transfer staff or functions of units in the
27 Department does not apply to any staff of a board or commission, established under this
28 article, or to any functions that pertain to licensing, disciplinary, or enforcement authority,
29 or to any other authority specifically delegated by law to a board or commission.

30 (3) THE SECRETARY HAS AUTHORITY OVER THE INFRASTRUCTURE
31 OPERATIONS OF A BOARD OR COMMISSION ESTABLISHED UNDER THIS ARTICLE.

32 [1A–203.

33 From among its members, the Board shall elect officers in a manner and for terms
34 that the Board determines.]

1 1A-203.

2 (A) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL
3 APPOINT THE PRESIDENT OF THE BOARD.

4 (2) THE TERM OF OFFICE OF THE PRESIDENT IS 2 YEARS.

5 (3) THE PRESIDENT MAY APPOINT A VICE PRESIDENT.

6 (4) IF A VACANCY OCCURS IN THE OFFICE OF PRESIDENT, WITHIN 30
7 DAYS AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL
8 ELECTION TO ELECT A PRESIDENT TO COMPLETE THE TERM OF THE VACATING
9 PRESIDENT.

10 (B) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT ANY OFFICERS,
11 OTHER THAN THE PRESIDENT AND VICE PRESIDENT, THAT IT CONSIDERS
12 NECESSARY.

13 (C) THE BOARD SHALL DETERMINE:

14 (1) THE MANNER OF ELECTION OF OFFICERS;

15 (2) THE TERM OF OFFICE OF EACH OFFICER; AND

16 (3) THE DUTIES OF EACH OFFICER.

17 1A-204.

18 (d) (1) (I) The [Board] SECRETARY, IN CONSULTATION WITH THE
19 BOARD, may employ a staff FOR THE BOARD in accordance with the State budget.

20 (II) THE SECRETARY, IN CONSULTATION WITH THE BOARD,
21 MAY DESIGNATE ONE OF THE STAFF AS AN EXECUTIVE DIRECTOR.

22 (2) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE
23 OF THE BOARD IN A POSITION THAT:

24 (I) IS UNIQUE TO THE BOARD;

25 (II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM
26 THE DUTIES OF THE POSITION; AND

27 (III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM
28 FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS

1 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

2 **(3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN**
3 **CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR**
4 **WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS**
5 **SUBSECTION.**

6 1A-206.

7 (a) There is an Acupuncture Board Fund.

8 (d) (1) **(I)** The Fund shall be used exclusively to cover the actual
9 documented direct and indirect costs of fulfilling the statutory and regulatory duties of the
10 Board as provided by the provisions of this title.

11 **(II) THE FUND MAY NOT BE USED TO PAY FOR**
12 **INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1-203(B) OF THIS ARTICLE.**

13 2-203.

14 [(a) From among its members, the Board annually shall elect a chairman.]

15 **(A) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL**
16 **APPOINT THE CHAIR OF THE BOARD.**

17 **(2) THE TERM OF OFFICE OF THE CHAIR IS 2 YEARS.**

18 **(3) THE CHAIR MAY APPOINT A VICE CHAIR.**

19 **(4) IF A VACANCY OCCURS IN THE OFFICE OF CHAIR, WITHIN 30 DAYS**
20 **AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL ELECTION**
21 **TO ELECT A CHAIR TO COMPLETE THE TERM OF THE VACATING CHAIR.**

22 **(B) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT ANY OFFICERS,**
23 **OTHER THAN THE CHAIR AND VICE CHAIR, THAT IT CONSIDERS NECESSARY.**

24 [(b)] (C) The Board shall determine:

25 (1) The manner of election of officers; [and]

26 **(2) THE TERM OF OFFICE OF EACH OFFICER; AND**

27 **[(2)] (3)** The duties of each officer.

28 2-204.

1 (d) (1) The [Board] **SECRETARY, IN CONSULTATION WITH THE BOARD,**
2 may employ a staff **FOR THE BOARD** in accordance with the **STATE** budget [of the Board].

3 (2) **THE SECRETARY, IN CONSULTATION WITH THE BOARD, MAY**
4 **DESIGNATE ONE OF THE STAFF AS AN EXECUTIVE DIRECTOR.**

5 [(e) The Board shall appoint an executive director who:

6 (1) Shall serve at the pleasure of the Board;

7 (2) Is the executive officer of the Board; and

8 (3) Has the powers and duties assigned by the Board.]

9 (E) (1) **THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE**
10 **OF THE BOARD IN A POSITION THAT:**

11 (I) **IS UNIQUE TO THE BOARD;**

12 (II) **REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM**
13 **THE DUTIES OF THE POSITION; AND**

14 (III) **DOES NOT REQUIRE THE EMPLOYEE TO PERFORM**
15 **FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS**
16 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

17 (2) **THE SECRETARY OF BUDGET AND MANAGEMENT, IN**
18 **CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR**
19 **WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (1) OF THIS**
20 **SUBSECTION.**

21 2–206.

22 (a) There is a State Board of Examiners for Audiologists, Hearing Aid Dispensers,
23 Speech–Language Pathologists, and Music Therapists Fund.

24 (e) (1) (I) The Fund shall be used to cover the actual documented direct
25 and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
26 by the provisions of this article.

27 (II) **THE FUND MAY NOT BE USED TO PAY FOR**
28 **INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1–203(B) OF THIS ARTICLE.**

29 3–203.

1 [(a) From among its members, the Board annually shall elect a president, a
2 vice-president, and a secretary-treasurer.]

3 (A) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL
4 APPOINT THE PRESIDENT OF THE BOARD.

5 (2) THE TERM OF OFFICE OF THE PRESIDENT IS 2 YEARS.

6 (3) THE PRESIDENT MAY APPOINT A VICE PRESIDENT.

7 (4) IF A VACANCY OCCURS IN THE OFFICE OF PRESIDENT, WITHIN 30
8 DAYS AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL
9 ELECTION TO ELECT A PRESIDENT TO COMPLETE THE TERM OF THE VACATING
10 PRESIDENT.

11 (B) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT ANY OFFICERS,
12 OTHER THAN THE PRESIDENT AND VICE PRESIDENT, THAT IT CONSIDERS
13 NECESSARY.

14 [(b)] (C) The Board shall determine:

15 (1) The manner of election of officers; [and]

16 (2) THE TERM OF OFFICE OF EACH OFFICER; AND

17 [(2)] (3) The duties of each officer.

18 3-204.

19 (d) (1) (I) The [Board and the State Board of Massage Therapy Examiners]
20 SECRETARY, IN CONSULTATION WITH THE BOARD, may employ a staff FOR THE
21 BOARD AND THE STATE BOARD OF MASSAGE THERAPY EXAMINERS in accordance
22 with the [budgets of the boards] STATE BUDGET.

23 [(2)] (II) The [Board and the State Board of Massage Therapy Examiners
24 jointly shall appoint a staff member] SECRETARY, IN CONSULTATION WITH THE
25 BOARD, MAY DESIGNATE ONE OF THE STAFF as [the] AN executive director[, who serves
26 at the pleasure of both boards].

27 [(3)] (2) The [executive director] SECRETARY MAY SET THE
28 COMPENSATION OF AN EMPLOYEE OF THE BOARD IN A POSITION THAT:

29 [(i) Is the executive director of both boards; and

1 (ii) Has the powers and duties assigned by the boards.]

2 (I) IS UNIQUE TO THE BOARD;

3 (II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM
4 THE DUTIES OF THE POSITION; AND

5 (III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM
6 FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS
7 OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.

8 (3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN
9 CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR
10 WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS
11 SUBSECTION.

12 3-206.

13 (a) There is a State Board of Chiropractic Examiners Fund.

14 (d) (1) (I) The Fund shall be used to cover the actual documented direct
15 and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
16 by the provisions of this article.

17 (II) THE FUND MAY NOT BE USED TO PAY FOR
18 INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1-203(B) OF THIS ARTICLE.

19 4-203.

20 (a) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL
21 APPOINT THE PRESIDENT OF THE BOARD.

22 (2) THE TERM OF OFFICE OF THE PRESIDENT IS 2 YEARS.

23 (3) THE PRESIDENT MAY APPOINT A VICE PRESIDENT.

24 (4) IF A VACANCY OCCURS IN THE OFFICE OF PRESIDENT, WITHIN 30
25 DAYS AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL
26 ELECTION TO ELECT A PRESIDENT TO COMPLETE THE TERM OF THE VACATING
27 PRESIDENT.

28 (B) From among its members, the Board shall elect [a president and a secretary]
29 ANY OFFICERS, OTHER THAN THE PRESIDENT AND VICE PRESIDENT, THAT IT

1 **CONSIDERS NECESSARY.**

2 **[(b)] (C)** The Board shall determine:

3 (1) The manner of election of officers;

4 (2) The term of office of each officer; and

5 (3) The duties of each officer.

6 4-204.

7 (c) **(1) (I)** The [Board] **SECRETARY, IN CONSULTATION WITH THE**
8 **BOARD,** may employ a staff **FOR THE BOARD** in accordance with the **STATE** budget [of
9 the Board].

10 **(II) THE SECRETARY, IN CONSULTATION WITH THE BOARD,**
11 **MAY DESIGNATE ONE OF THE STAFF AS AN EXECUTIVE DIRECTOR.**

12 **(2) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE**
13 **OF THE BOARD IN A POSITION THAT:**

14 **(I) IS UNIQUE TO THE BOARD;**

15 **(II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM**
16 **THE DUTIES OF THE POSITION; AND**

17 **(III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM**
18 **FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS**
19 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

20 **(3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN**
21 **CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR**
22 **WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS**
23 **SUBSECTION.**

24 4-207.

25 (a) There is a State Board of Dental Examiners Fund.

26 (d) (1) **(I)** The Fund shall be used to cover the actual documented direct
27 and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
28 by the provisions of this article.

29 **(II) THE FUND MAY NOT BE USED TO PAY FOR**

1 INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1-203(B) OF THIS ARTICLE.
2 5-203.

3 (a) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL
4 APPOINT THE CHAIR OF THE BOARD.

5 (2) THE TERM OF OFFICE OF THE CHAIR IS 2 YEARS.

6 (3) THE CHAIR MAY APPOINT A VICE CHAIR.

7 (4) IF A VACANCY OCCURS IN THE OFFICE OF CHAIR, WITHIN 30 DAYS
8 AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL ELECTION
9 TO ELECT A CHAIR TO COMPLETE THE TERM OF THE VACATING CHAIR.

10 (B) From among its members, the Board [annually] shall elect [a chairman, a vice
11 chairman, and a secretary] ANY OFFICERS, OTHER THAN THE CHAIR AND VICE CHAIR,
12 THAT IT CONSIDERS NECESSARY.

13 [(b)] (C) The Board shall determine:

14 (1) The manner of election of officers; [and]

15 (2) THE TERM OF OFFICE OF EACH OFFICER; AND

16 [(2)] (3) The duties of each officer.

17 5-204.

18 (d) (1) (I) The [Board] SECRETARY, IN CONSULTATION WITH THE
19 BOARD, may employ a staff FOR THE BOARD in accordance with the STATE budget [of
20 the Board].

21 (II) THE SECRETARY, IN CONSULTATION WITH THE BOARD,
22 MAY DESIGNATE ONE OF THE STAFF AS AN EXECUTIVE DIRECTOR.

23 (2) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE
24 OF THE BOARD IN A POSITION THAT:

25 (I) IS UNIQUE TO THE BOARD;

26 (II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM
27 THE DUTIES OF THE POSITION; AND

1 **(III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM**
2 **FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS**
3 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

4 **(3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN**
5 **CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR**
6 **WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS**
7 **SUBSECTION.**

8 5–206.

9 (a) There is a State Board of Dietetic Practice Fund.

10 (d) (1) **(I)** The Fund shall be used to cover the actual documented direct
11 and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
12 by the provisions of this article.

13 **(II) THE FUND MAY NOT BE USED TO PAY FOR**
14 **INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1–203(B) OF THIS ARTICLE.**

15 6–203.

16 **(A) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL**
17 **APPOINT THE CHAIR OF THE BOARD.**

18 **(2) THE TERM OF OFFICE OF THE CHAIR IS 2 YEARS.**

19 **(3) THE CHAIR MAY APPOINT A VICE CHAIR.**

20 **(4) IF A VACANCY OCCURS IN THE OFFICE OF CHAIR, WITHIN 30 DAYS**
21 **AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL ELECTION**
22 **TO ELECT A CHAIR TO COMPLETE THE TERM OF THE VACATING CHAIR.**

23 **[(a)] (B)** From among its members, the Board [annually] shall elect [a chair, vice
24 chair, and secretary–treasurer] **ANY OFFICERS, OTHER THAN THE CHAIR AND VICE**
25 **CHAIR, THAT IT CONSIDERS NECESSARY.**

26 **[(b)] (C)** The Board shall determine:

27 (1) The manner of election of the officers; [and]

28 **(2) THE TERM OF OFFICE OF EACH OFFICER; AND**

29 **[(2)] (3)** The duties of each officer.

1 6–204.

2 (a) The **SECRETARY, IN CONSULTATION WITH THE BOARD, MAY EMPLOY A**
3 **STAFF FOR THE** Board and the State Board of Chiropractic Examiners [may employ a
4 staff] in accordance with the [budgets of the boards] **STATE BUDGET.**

5 (b) The [Board and the State Board of Chiropractic Examiners jointly shall
6 appoint] **SECRETARY, IN CONSULTATION WITH THE BOARD, MAY DESIGNATE ONE OF**
7 **THE STAFF AS** an executive director[, who serves at the pleasure of both boards].

8 [(c) The executive director:

9 (1) Is the executive officer of both boards; and

10 (2) Has the powers and duties assigned by the boards.]

11 (c) (1) **THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE**
12 **OF THE BOARD IN A POSITION THAT:**

13 (i) **IS UNIQUE TO THE BOARD;**

14 (ii) **REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM**
15 **THE DUTIES OF THE POSITION; AND**

16 (iii) **DOES NOT REQUIRE THE EMPLOYEE TO PERFORM**
17 **FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS**
18 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

19 (2) **THE SECRETARY OF BUDGET AND MANAGEMENT, IN**
20 **CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR**
21 **WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (1) OF THIS**
22 **SUBSECTION.**

23 6–207.

24 (a) There is a State Board of Massage Therapy Examiners Fund.

25 (d) (1) (i) The Fund shall be used to cover the actual documented direct
26 and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
27 in this title.

28 (ii) **THE FUND MAY NOT BE USED TO PAY FOR**
29 **INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1–203(B) OF THIS ARTICLE.**

1 7-203.

2 (A) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL
3 APPOINT THE PRESIDENT OF THE BOARD.

4 (2) THE TERM OF OFFICE OF THE PRESIDENT IS 2 YEARS.

5 (3) THE PRESIDENT MAY APPOINT A VICE PRESIDENT.

6 (4) IF A VACANCY OCCURS IN THE OFFICE OF PRESIDENT, WITHIN 30
7 DAYS AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL
8 ELECTION TO ELECT A PRESIDENT TO COMPLETE THE TERM OF THE VACATING
9 PRESIDENT.

10 [(a)] (B) From among its members, the Board shall elect [a president, a first vice
11 president, and a second vice president] ANY OFFICERS, OTHER THAN THE PRESIDENT
12 AND VICE PRESIDENT, THAT IT CONSIDERS NECESSARY.

13 [(b)] (C) The Board shall determine:

14 (1) The manner of election of officers;

15 (2) The term of office of each officer; and

16 (3) The duties of each officer.

17 7-204.

18 (d) (1) (I) The [Board may appoint a Board secretary, who may be a
19 member of the Board.

20 (2) The Board] SECRETARY, IN CONSULTATION WITH THE BOARD, may
21 employ [inspectors and other] staff FOR THE BOARD in accordance with the STATE budget
22 [of the Board].

23 (II) THE SECRETARY, IN CONSULTATION WITH THE BOARD,
24 MAY DESIGNATE ONE OF THE STAFF AS BOARD SECRETARY.

25 (2) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE
26 OF THE BOARD IN A POSITION THAT:

27 (I) IS UNIQUE TO THE BOARD;

28 (II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM

1 THE DUTIES OF THE POSITION; AND

2 (III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM
3 FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS
4 OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.

5 (3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN
6 CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR
7 WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS
8 SUBSECTION.

9 7-206.

10 (a) There is a State Board of Morticians and Funeral Directors Fund.

11 (d) (1) (I) The Fund shall be used to cover the actual documented direct
12 and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
13 by the provisions of this article.

14 (II) THE FUND MAY NOT BE USED TO PAY FOR
15 INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1-203(B) OF THIS ARTICLE.

16 8-203.

17 [(a) (1) Subject to paragraph (2) of this subsection, from among its members,
18 the Board shall elect a president and a secretary once every 2 years in June or as required
19 by subsection (c) of this section.

20 (2) The president of the Board shall be a registered nurse.

21 (3) The president shall serve a 2-year term unless:

22 (i) The term of the member serving as the president expires before
23 the end of the member's term as president; or

24 (ii) The president resigns.]

25 (A) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL
26 APPOINT THE PRESIDENT OF THE BOARD.

27 (2) THE TERM OF OFFICE OF THE PRESIDENT IS 2 YEARS.

28 (3) THE PRESIDENT MAY APPOINT A VICE PRESIDENT.

29 (4) IF A VACANCY OCCURS IN THE OFFICE OF PRESIDENT, WITHIN 30

1 DAYS AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL
2 ELECTION TO ELECT A PRESIDENT TO COMPLETE THE TERM OF THE VACATING
3 PRESIDENT.

4 (B) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT ANY OFFICERS,
5 OTHER THAN THE PRESIDENT AND VICE PRESIDENT, THAT IT CONSIDERS
6 NECESSARY.

7 [(b)] (C) The Board shall determine:

8 (1) The manner of election of officers; [and]

9 (2) THE TERM OF OFFICE OF EACH OFFICER; AND

10 [(2)] (3) The duties of each officer.

11 [(c) If a vacancy occurs under subsection (a)(3)(ii) of this section, the Board shall
12 hold a special election to elect a president to complete the term of the vacating president
13 within 30 days of the date of the vacancy.]

14 8-204.

15 [(d) The Board may:

16 (1) Employ a staff in accordance with the State budget;

17 (2) Define the duties of its staff.

18 (3) Employ:

19 (i) An executive director who shall be a registered nurse with a
20 minimum of a master's degree in nursing or the equivalent, in the judgment of the Board,
21 in professional education and administrative experience; and

22 (ii) A deputy director who shall assume the duties and authority of
23 the executive director in the absence of the executive director.]

24 (D) (1) (I) THE SECRETARY, IN CONSULTATION WITH THE BOARD,
25 MAY EMPLOY A STAFF FOR THE BOARD IN ACCORDANCE WITH THE STATE BUDGET.

26 (II) THE SECRETARY, IN CONSULTATION WITH THE BOARD,
27 MAY DESIGNATE ONE OF THE STAFF AS AN EXECUTIVE DIRECTOR.

28 (2) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE
29 OF THE BOARD IN A POSITION THAT:

1 **(I) IS UNIQUE TO THE BOARD;**

2 **(II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM**
3 **THE DUTIES OF THE POSITION; AND**

4 **(III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM**
5 **FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS**
6 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

7 **(3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN**
8 **CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR**
9 **WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS**
10 **SUBSECTION.**

11 8–206.

12 (a) There is a Board of Nursing Fund.

13 (e) (1) **(I)** The Board of Nursing Fund shall be used exclusively to cover the
14 actual documented direct and indirect costs of fulfilling the statutory and regulatory duties
15 of the Board as provided by the provisions of this title.

16 **(II) THE BOARD OF NURSING FUND MAY NOT BE USED TO PAY**
17 **FOR INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1–203(B) OF THIS ARTICLE.**

18 9–203.

19 (a) **(1)** [From among the Board members, the] **THE** Governor, **IN**
20 **CONSULTATION WITH THE BOARD**, shall appoint a [chairman and vice chairman] **CHAIR**
21 of the Board.

22 **(2) THE TERM OF OFFICE OF THE CHAIR IS 2 YEARS.**

23 **(3) THE CHAIR MAY APPOINT A VICE CHAIR.**

24 **(4) IF A VACANCY OCCURS IN THE OFFICE OF CHAIR, WITHIN 30 DAYS**
25 **AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL ELECTION**
26 **TO ELECT A CHAIR TO COMPLETE THE TERM OF THE VACATING CHAIR.**

27 [(b) (1) The Board shall appoint and the Secretary shall confirm the Board
28 executive director.

29 (2) The Board executive director may not be a member of the Board and
30 serves at the pleasure of the Board.

1 (3) The Board executive director is the executive officer of the Board.

2 (4) The Board executive director shall have, at a minimum, a bachelor's
3 degree.

4 (c) The Board shall determine the duties of each officer.]

5 **(B) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT ANY OFFICERS,**
6 **OTHER THAN THE CHAIR AND VICE CHAIR, THAT IT CONSIDERS NECESSARY.**

7 **(C) THE BOARD SHALL DETERMINE:**

8 **(1) THE MANNER OF ELECTION OF OFFICERS;**

9 **(2) THE TERM OF OFFICE OF EACH OFFICER; AND**

10 **(3) THE DUTIES OF EACH OFFICER.**

11 9-204.

12 (d) **(1) (I) The [Board] SECRETARY, IN CONSULTATION WITH THE**
13 **BOARD,** may employ a staff **FOR THE BOARD** in accordance with the State budget.

14 **(II) THE SECRETARY, IN CONSULTATION WITH THE BOARD,**
15 **MAY DESIGNATE ONE OF THE STAFF AS AN EXECUTIVE DIRECTOR.**

16 **(2) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE**
17 **OF THE BOARD IN A POSITION THAT:**

18 **(I) IS UNIQUE TO THE BOARD;**

19 **(II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM**
20 **THE DUTIES OF THE POSITION; AND**

21 **(III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM**
22 **FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS**
23 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

24 **(3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN**
25 **CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR**
26 **WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS**
27 **SUBSECTION.**

1 10-203.

2 [(a) From among its members, the Board shall annually elect one or more
3 chairpersons.]

4 (A) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL
5 APPOINT THE CHAIR OF THE BOARD.

6 (2) THE TERM OF OFFICE OF THE CHAIR IS 2 YEARS.

7 (3) THE CHAIR MAY APPOINT A VICE CHAIR.

8 (4) IF A VACANCY OCCURS IN THE OFFICE OF CHAIR, WITHIN 30 DAYS
9 AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL ELECTION
10 TO ELECT A CHAIR TO COMPLETE THE TERM OF THE VACATING CHAIR.

11 (B) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT ANY OFFICERS,
12 OTHER THAN THE CHAIR AND VICE CHAIR, THAT IT CONSIDERS NECESSARY.

13 [(b)] (C) The Board shall determine:

14 (1) The manner of election of [the chairpersons] OFFICERS;

15 (2) The term of office of [the chairpersons] EACH OFFICER; and

16 (3) The duties of [the chairpersons] EACH OFFICER.

17 10-204.

18 (d) (1) [The Board shall appoint an Executive Director of the Board that serves
19 at the pleasure of the Board as its executive officer.

20 (2) In accordance with the STATE budget [of the Board], the [Board]
21 SECRETARY, IN CONSULTATION WITH THE BOARD, may employ:

22 (i) A staff; and

23 (ii) Any experts and consultants necessary to obtain information and
24 advice that relate to occupational therapy.

25 (2) THE SECRETARY, IN CONSULTATION WITH THE BOARD, MAY
26 DESIGNATE ONE OF THE STAFF AS AN EXECUTIVE DIRECTOR.

27 (3) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE
28 OF THE BOARD IN A POSITION THAT:

1 **(I) IS UNIQUE TO THE BOARD;**

2 **(II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM**
3 **THE DUTIES OF THE POSITION; AND**

4 **(III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM**
5 **FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS**
6 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

7 **(4) THE SECRETARY OF BUDGET AND MANAGEMENT, IN**
8 **CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR**
9 **WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (3) OF THIS**
10 **SUBSECTION.**

11 10-206.

12 (a) There is a State Board of Occupational Therapy Practice Fund.

13 (d) (1) **(I)** The Fund shall be used to cover the actual documented direct
14 and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
15 by the provisions of this article.

16 **(II) THE FUND MAY NOT BE USED TO PAY FOR**
17 **INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1-203(B) OF THIS ARTICLE.**

18 11-203.

19 [(a) From among its members, the Board every 2 years shall elect a president, a
20 secretary, and a treasurer.]

21 **(A) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL**
22 **APPOINT THE PRESIDENT OF THE BOARD.**

23 **(2) THE TERM OF OFFICE OF THE PRESIDENT IS 2 YEARS.**

24 **(3) THE PRESIDENT MAY APPOINT A VICE PRESIDENT.**

25 **(4) IF A VACANCY OCCURS IN THE OFFICE OF PRESIDENT, WITHIN 30**
26 **DAYS AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL**
27 **ELECTION TO ELECT A PRESIDENT TO COMPLETE THE TERM OF THE VACATING**
28 **PRESIDENT.**

29 **(B) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT ANY OFFICERS,**

1 OTHER THAN THE PRESIDENT AND VICE PRESIDENT, THAT IT CONSIDERS
2 NECESSARY.

3 **[(b)] (C)** The Board shall determine:

4 (1) The manner of election of officers; **[and]**

5 **(2) THE TERM OF OFFICE OF EACH OFFICER; AND**

6 **[(2)] (3)** The duties of each officer.

7 11-204.

8 (d) **(1) (I)** The **[Board]** **SECRETARY, IN CONSULTATION WITH THE**
9 **BOARD,** may employ a staff **FOR THE BOARD** in accordance with the **STATE** budget **[of**
10 **the Board].**

11 **(II) THE SECRETARY, IN CONSULTATION WITH THE BOARD,**
12 **MAY DESIGNATE ONE OF THE STAFF AS AN EXECUTIVE DIRECTOR.**

13 **(2) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE**
14 **OF THE BOARD IN A POSITION THAT:**

15 **(I) IS UNIQUE TO THE BOARD;**

16 **(II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM**
17 **THE DUTIES OF THE POSITION; AND**

18 **(III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM**
19 **FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS**
20 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

21 **(3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN**
22 **CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR**
23 **WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS**
24 **SUBSECTION.**

25 11-207.

26 (a) There is a State Board of Examiners in Optometry Fund.

27 (d) (1) **(I)** The Fund shall be used to cover the actual documented direct
28 and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
29 by the provisions of this article.

1 **(II) THE FUND MAY NOT BE USED TO PAY FOR**
2 **INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1-203(B) OF THIS ARTICLE.**

3 12-203.

4 [(a) From among its members, the Board annually shall elect a president, a
5 secretary, and a treasurer.]

6 **(A) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL**
7 **APPOINT THE PRESIDENT OF THE BOARD.**

8 **(2) THE TERM OF OFFICE OF THE PRESIDENT IS 2 YEARS.**

9 **(3) THE PRESIDENT MAY APPOINT A VICE PRESIDENT.**

10 **(4) IF A VACANCY OCCURS IN THE OFFICE OF PRESIDENT, WITHIN 30**
11 **DAYS AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL**
12 **ELECTION TO ELECT A PRESIDENT TO COMPLETE THE TERM OF THE VACATING**
13 **PRESIDENT.**

14 **(B) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT ANY OFFICERS,**
15 **OTHER THAN THE PRESIDENT AND VICE PRESIDENT, THAT IT CONSIDERS**
16 **NECESSARY.**

17 **[(b)] (C) The Board shall determine:**

18 (1) The manner of election of officers; [and]

19 **(2) THE TERM OF OFFICE OF EACH OFFICER; AND**

20 **[(2)] (3) The duties of each officer.**

21 12-204.

22 (d) (1) **(I) The [Board] SECRETARY, IN CONSULTATION WITH THE**
23 **BOARD,** may employ a staff **FOR THE BOARD** in accordance with the **STATE** budget [of
24 the Board].

25 **[(2)] (II) The [Board] SECRETARY, IN CONSULTATION WITH THE**
26 **BOARD,** may designate [1 of its] **ONE OF THE** staff as an executive director.

27 **(2) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE**
28 **OF THE BOARD IN A POSITION THAT:**

1 **(I) IS UNIQUE TO THE BOARD;**

2 **(II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM**
3 **THE DUTIES OF THE POSITION; AND**

4 **(III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM**
5 **FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS**
6 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

7 **(3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN**
8 **CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR**
9 **WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS**
10 **SUBSECTION.**

11 12-206.

12 (a) There is a State Board of Pharmacy Fund.

13 (d) (1) **(I)** The Fund shall be used to cover the actual documented direct
14 and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
15 by the provisions of this article.

16 **(II) THE FUND MAY NOT BE USED TO PAY FOR**
17 **INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1-203(B) OF THIS ARTICLE.**

18 13-203.

19 [(a) From among its members, the Board annually shall elect a chairman and vice
20 chairman.]

21 **(A) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL**
22 **APPOINT THE CHAIR OF THE BOARD.**

23 **(2) THE TERM OF OFFICE OF THE CHAIR IS 2 YEARS.**

24 **(3) THE CHAIR MAY APPOINT A VICE CHAIR.**

25 **(4) IF A VACANCY OCCURS IN THE OFFICE OF CHAIR, WITHIN 30 DAYS**
26 **AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL ELECTION**
27 **TO ELECT A CHAIR TO COMPLETE THE TERM OF THE VACATING CHAIR.**

28 **(B) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT ANY OFFICERS,**
29 **OTHER THAN THE CHAIR AND VICE CHAIR, THAT IT CONSIDERS NECESSARY.**

1 **[(b)] (C)** The Board shall determine:

2 (1) The manner of election of [the chairman and vice chairman; and]
3 **OFFICERS;**

4 **(2) THE TERM OF OFFICE OF EACH OFFICER; AND**

5 **[(2)] (3)** The duties of [the chairman and vice chairman] **EACH OFFICER.**

6 **[13-204.**

7 (a) The Board shall appoint a Board executive director, who serves at the pleasure
8 of the Board.

9 (b) The Board executive director:

10 (1) Is the executive officer of the Board; and

11 (2) Has the powers and duties assigned by the Board.]

12 **13-204.**

13 **(A) (1) IN ACCORDANCE WITH THE STATE BUDGET, THE SECRETARY, IN**
14 **CONSULTATION WITH THE BOARD, MAY EMPLOY:**

15 **(I) A STAFF FOR THE BOARD; AND**

16 **(II) EXPERTS AND CONSULTANTS TO OBTAIN INFORMATION**
17 **AND ADVICE THAT RELATE TO PHYSICAL THERAPY.**

18 **(2) THE SECRETARY, IN CONSULTATION WITH THE BOARD, MAY**
19 **DESIGNATE ONE OF THE STAFF AS AN EXECUTIVE DIRECTOR.**

20 **(B) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE OF**
21 **THE BOARD IN A POSITION THAT:**

22 **(1) IS UNIQUE TO THE BOARD;**

23 **(2) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM THE**
24 **DUTIES OF THE POSITION; AND**

25 **(3) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM FUNCTIONS**
26 **THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS OF THE**

1 **EXECUTIVE BRANCH OF STATE GOVERNMENT.**

2 **(c) THE SECRETARY OF BUDGET AND MANAGEMENT, IN CONSULTATION**
3 **WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR WHICH THE**
4 **SECRETARY MAY SET COMPENSATION UNDER SUBSECTION (B) OF THIS SECTION.**

5 13-205.

6 [(d) In accordance with the budget of the Board, the Board may employ:

7 (1) A staff; and

8 (2) Experts and consultants to obtain information and advice that relate to
9 physical therapy.]

10 13-207.

11 (a) There is a State Board of Physical Therapy Examiners Fund.

12 (d) (1) **(I)** The Fund shall be used to cover the actual documented direct
13 and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
14 by the provisions of this article.

15 **(II) THE FUND MAY NOT BE USED TO PAY FOR**
16 **INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1-203(B) OF THIS ARTICLE.**

17 14-203.

18 (a) (1) The Governor shall appoint the chair of the Board.

19 (2) The term of office of the chair is 2 years.

20 **(3) THE CHAIR MAY APPOINT A VICE CHAIR.**

21 **(4) IF A VACANCY OCCURS IN THE OFFICE OF CHAIR, WITHIN 30 DAYS**
22 **AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL ELECTION**
23 **TO ELECT A CHAIR TO COMPLETE THE TERM OF THE VACATING CHAIR.**

24 (b) From among its members, the Board shall elect any officers, other than the
25 chair **AND VICE CHAIR**, that it considers necessary.

26 (c) The Board shall determine:

27 (1) The manner of election of officers;

28 (2) The term of office of each officer; and

1 (3) The duties of each officer.

2 14–207.

3 (a) There is a Board of Physicians Fund.

4 (e) (1) (I) The Fund shall be used exclusively to cover the actual
5 documented direct and indirect costs of fulfilling the statutory and regulatory duties of the
6 Board as provided by the provisions of this title.

7 (II) THE FUND MAY NOT BE USED TO PAY FOR
8 INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1–203(B) OF THIS ARTICLE.

9 16–203.

10 [(a) From among its members, the Board shall elect a president and a
11 secretary–treasurer.]

12 (A) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL
13 APPOINT THE PRESIDENT OF THE BOARD.

14 (2) THE TERM OF OFFICE OF THE PRESIDENT IS 2 YEARS.

15 (3) THE PRESIDENT MAY APPOINT A VICE PRESIDENT.

16 (4) IF A VACANCY OCCURS IN THE OFFICE OF PRESIDENT, WITHIN 30
17 DAYS AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL
18 ELECTION TO ELECT A PRESIDENT TO COMPLETE THE TERM OF THE VACATING
19 PRESIDENT.

20 (B) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT ANY OFFICERS,
21 OTHER THAN THE PRESIDENT AND VICE PRESIDENT, THAT IT CONSIDERS
22 NECESSARY.

23 [(b)] (C) The Board shall determine:

24 (1) The manner of election of officers;

25 (2) The term of office of each officer; and

26 (3) The duties of each officer.

27 16–204.

1 (d) (1) (I) The [Board] SECRETARY, IN CONSULTATION WITH THE
2 BOARD, may employ a staff FOR THE BOARD in accordance with the STATE budget [of
3 the Board].

4 (II) THE SECRETARY, IN CONSULTATION WITH THE BOARD,
5 MAY DESIGNATE ONE OF THE STAFF AS AN EXECUTIVE DIRECTOR.

6 (2) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE
7 OF THE BOARD IN A POSITION THAT:

8 (I) IS UNIQUE TO THE BOARD;

9 (II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM
10 THE DUTIES OF THE POSITION; AND

11 (III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM
12 FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS
13 OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.

14 (3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN
15 CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR
16 WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS
17 SUBSECTION.

18 16–206.

19 (a) There is a State Board of Podiatric Medical Examiners Fund.

20 (d) (1) (I) The Fund shall be used to cover the actual documented direct
21 and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
22 by the provisions of this article.

23 (II) THE FUND MAY NOT BE USED TO PAY FOR
24 INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1–203(B) OF THIS ARTICLE.

25 17–203.

26 (a) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL
27 APPOINT THE CHAIR OF THE BOARD.

28 (2) THE TERM OF OFFICE OF THE CHAIR IS 2 YEARS.

29 (3) THE CHAIR MAY APPOINT A VICE CHAIR.

1 **(4) IF A VACANCY OCCURS IN THE OFFICE OF CHAIR, WITHIN 30 DAYS**
2 **AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL ELECTION**
3 **TO ELECT A CHAIR TO COMPLETE THE TERM OF THE VACATING CHAIR.**

4 **(B) From among its members, the Board [annually] shall elect[:**

5 (1) A chairperson;

6 (2) A vice chairperson; and

7 (3) A secretary] **ANY OFFICERS, OTHER THAN THE CHAIR AND VICE**
8 **CHAIR, THAT IT CONSIDERS NECESSARY.**

9 **[(b)] (C) The Board shall determine:**

10 (1) The manner of election of officers;

11 (2) The term of office of each officer; and

12 (3) The duties of each officer.

13 17–204.

14 **(d) (1) (I) The [Board] SECRETARY, IN CONSULTATION WITH THE**
15 **BOARD, may employ a staff FOR THE BOARD in accordance with the STATE budget [of**
16 **the Board].**

17 **(II) THE SECRETARY, IN CONSULTATION WITH THE BOARD,**
18 **MAY DESIGNATE ONE OF THE STAFF AS AN EXECUTIVE DIRECTOR.**

19 **(2) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE**
20 **OF THE BOARD IN A POSITION THAT:**

21 **(I) IS UNIQUE TO THE BOARD;**

22 **(II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM**
23 **THE DUTIES OF THE POSITION; AND**

24 **(III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM**
25 **FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS**
26 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

27 **(3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN**
28 **CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR**
29 **WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS**

1 SUBSECTION.

2 17-206.

3 (a) There is a State Board of Professional Counselors and Therapists Fund.

4 (d) (1) (I) The Fund shall be used to cover the actual documented direct
5 and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
6 by the provisions of this article.7 (II) THE FUND MAY NOT BE USED TO PAY FOR
8 INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1-203(B) OF THIS ARTICLE.

9 18-203.

10 [(a) From among its members, the Board annually shall elect a chairman and a
11 vice chairman.]12 (A) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL
13 APPOINT THE CHAIR OF THE BOARD.

14 (2) THE TERM OF OFFICE OF THE CHAIR IS 2 YEARS.

15 (3) THE CHAIR MAY APPOINT A VICE CHAIR.

16 (4) IF A VACANCY OCCURS IN THE OFFICE OF CHAIR, WITHIN 30 DAYS
17 AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL ELECTION
18 TO ELECT A CHAIR TO COMPLETE THE TERM OF THE VACATING CHAIR.19 (B) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT ANY OFFICERS,
20 OTHER THAN THE CHAIR AND VICE CHAIR, THAT IT CONSIDERS NECESSARY.

21 [(b)] (C) The Board shall determine:

22 (1) The manner of election of officers; [and]

23 (2) THE TERM OF OFFICE OF EACH OFFICER; AND

24 [(2)] (3) The duties of each officer.

25 18-204.

26 [(d) (1) The Board may designate one of its staff as Board administrator.

1 (2) The Board administrator may be compensated in accordance with the
2 budget of the Board.

3 (3) The Board may employ other staff in accordance with the budget of the
4 Board.]

5 **(D) (1) (I) THE SECRETARY, IN CONSULTATION WITH THE BOARD,
6 MAY EMPLOY A STAFF FOR THE BOARD IN ACCORDANCE WITH THE STATE BUDGET.**

7 **(II) THE SECRETARY, IN CONSULTATION WITH THE BOARD,
8 MAY DESIGNATE ONE OF THE STAFF AS AN EXECUTIVE DIRECTOR.**

9 **(2) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE
10 OF THE BOARD IN A POSITION THAT:**

11 **(I) IS UNIQUE TO THE BOARD;**

12 **(II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM
13 THE DUTIES OF THE POSITION; AND**

14 **(III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM
15 FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS
16 OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

17 **(3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN
18 CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR
19 WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS
20 SUBSECTION.**

21 18–207.

22 (a) There is a State Board of Examiners for Psychologists Fund.

23 (d) (1) **(I)** The Fund shall be used to cover the actual documented direct
24 and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
25 by the provisions of this article.

26 **(II) THE FUND MAY NOT BE USED TO PAY FOR
27 INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1–203(B) OF THIS ARTICLE.**

28 19–203.

29 (a) **[(1) From among its members, the Board shall elect a chair, vice chair, and
30 secretary–treasurer every 2 years.]**

1 **(1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL**
2 **APPOINT THE CHAIR OF THE BOARD.**

3 **(2) THE TERM OF OFFICE OF THE CHAIR IS 2 YEARS.**

4 **(3) THE CHAIR MAY APPOINT A VICE CHAIR.**

5 **(4) IF A VACANCY OCCURS IN THE OFFICE OF CHAIR, WITHIN 30 DAYS**
6 **AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL ELECTION**
7 **TO ELECT A CHAIR TO COMPLETE THE TERM OF THE VACATING CHAIR.**

8 **[(2) (B) [The] FROM AMONG ITS MEMBERS, THE Board [may] SHALL**
9 **elect [other] ANY officers [as], OTHER THAN THE CHAIR AND VICE CHAIR, THAT IT**
10 **CONSIDERS necessary [to fulfill the duties and responsibilities of the Board].**

11 **[(b) (C) The Board shall determine:**

12 **(1) The manner of election of [the chair, vice chair, secretary–treasurer,**
13 **and other officers; and] OFFICERS;**

14 **(2) THE TERM OF OFFICE OF EACH OFFICER; AND**

15 **[(2) (3) The duties of each officer.**

16 19–204.

17 **(d) (1) (I) The [Board] SECRETARY, IN CONSULTATION WITH THE**
18 **BOARD, may employ a staff FOR THE BOARD in accordance with the STATE budget [of**
19 **the Board].**

20 **(II) THE SECRETARY, IN CONSULTATION WITH THE BOARD,**
21 **MAY DESIGNATE ONE OF THE STAFF AS AN EXECUTIVE DIRECTOR.**

22 **(2) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE**
23 **OF THE BOARD IN A POSITION THAT:**

24 **(I) IS UNIQUE TO THE BOARD;**

25 **(II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM**
26 **THE DUTIES OF THE POSITION; AND**

27 **(III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM**
28 **FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS**
29 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

1 **(3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN**
2 **CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR**
3 **WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS**
4 **SUBSECTION.**

5 [(e) (1) The Board shall appoint an executive director.

6 (2) The executive director:

7 (i) Serves at the pleasure of the Board;

8 (ii) Is the executive officer of the Board; and

9 (iii) Has the powers and duties assigned by the Board.]

10 19–206.

11 (a) There is a State Board of Social Work Examiners Fund.

12 (f) (1) **(I)** The Fund shall be used to cover the actual documented direct
13 and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided
14 by the provisions of this article.

15 **(II) THE FUND MAY NOT BE USED TO PAY FOR**
16 **INFRASTRUCTURE OPERATIONS, AS DEFINED IN § 1–203(B) OF THIS ARTICLE.**

17 20–203.

18 (a) [From among its members, the Board annually shall elect a chairman, vice
19 chairman, and executive secretary.]

20 **(1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL**
21 **APPOINT THE CHAIR OF THE BOARD.**

22 **(2) THE TERM OF OFFICE OF THE CHAIR IS 2 YEARS.**

23 **(3) THE CHAIR MAY APPOINT A VICE CHAIR.**

24 **(4) IF A VACANCY OCCURS IN THE OFFICE OF CHAIR, WITHIN 30 DAYS**
25 **AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL ELECTION**
26 **TO ELECT A CHAIR TO COMPLETE THE TERM OF THE VACATING CHAIR.**

27 **(B) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT ANY OFFICERS,**
28 **OTHER THAN THE CHAIR AND VICE CHAIR, THAT IT CONSIDERS NECESSARY.**

1 **[(b)] (C)** The Board shall determine:

- 2 (1) The manner of election of officers;
- 3 (2) The term of office of each officer; and
- 4 (3) The duties of each officer.

5 20–204.

6 (d) **(1) (I)** The [Board] **SECRETARY, IN CONSULTATION WITH THE**
7 **BOARD,** may employ A staff **FOR THE BOARD** in accordance with the **STATE** budget [of
8 the Board].

9 **[(e)] (II)** The [Board may appoint] **SECRETARY, IN CONSULTATION**
10 **WITH THE BOARD, MAY DESIGNATE ONE OF THE STAFF AS** an executive director.

11 **(2) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE**
12 **OF THE BOARD IN A POSITION THAT:**

13 **(I) IS UNIQUE TO THE BOARD;**

14 **(II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM**
15 **THE DUTIES OF THE POSITION; AND**

16 **(III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM**
17 **FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS**
18 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

19 **(3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN**
20 **CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR**
21 **WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS**
22 **SUBSECTION.**

23 **[(f)]** The executive director:

- 24 (1) Serves at the pleasure of the Board;
- 25 (2) Serves as the executive officer of the Board; and
- 26 (3) Has the powers and duties assigned by the Board.]

27 21–203.

1 [(a) From among its members, the Board shall elect a chairman, a vice chairman,
2 and a secretary once every 2 years.]

3 (A) (1) THE GOVERNOR, IN CONSULTATION WITH THE BOARD, SHALL
4 APPOINT THE CHAIR OF THE BOARD.

5 (2) THE TERM OF OFFICE OF THE CHAIR IS 2 YEARS.

6 (3) THE CHAIR MAY APPOINT A VICE CHAIR.

7 (4) IF A VACANCY OCCURS IN THE OFFICE OF CHAIR, WITHIN 30 DAYS
8 AFTER THE DATE OF THE VACANCY, THE BOARD SHALL HOLD A SPECIAL ELECTION
9 TO ELECT A CHAIR TO COMPLETE THE TERM OF THE VACATING CHAIR.

10 (B) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT ANY OFFICERS,
11 OTHER THAN THE CHAIR AND VICE CHAIR, THAT IT CONSIDERS NECESSARY.

12 [(b)] (C) The Board shall determine:

13 (1) The manner of election of officers; [and]

14 (2) THE TERM OF OFFICE OF EACH OFFICER; AND

15 [(2)] (3) The duties of each officer.

16 21–204.

17 (d) (1) (I) The [Board] SECRETARY, IN CONSULTATION WITH THE
18 BOARD, may employ a staff FOR THE BOARD in accordance with the STATE budget [of
19 the Board].

20 [(e) (1)] (II) The [Board shall appoint] SECRETARY, IN CONSULTATION
21 WITH THE BOARD, MAY DESIGNATE ONE OF THE STAFF AS an executive director.

22 [(2)] The executive director shall:

23 (i) Serve at the pleasure of the Board;

24 (ii) Act as the executive officer of the Board; and

25 (iii) Carry out the powers and duties assigned by the Board.]

26 (2) THE SECRETARY MAY SET THE COMPENSATION OF AN EMPLOYEE
27 OF THE BOARD IN A POSITION THAT:

1 **(I) IS UNIQUE TO THE BOARD;**

2 **(II) REQUIRES SPECIFIC SKILLS OR EXPERIENCE TO PERFORM**
3 **THE DUTIES OF THE POSITION; AND**

4 **(III) DOES NOT REQUIRE THE EMPLOYEE TO PERFORM**
5 **FUNCTIONS THAT ARE COMPARABLE TO FUNCTIONS PERFORMED IN OTHER UNITS**
6 **OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

7 **(3) THE SECRETARY OF BUDGET AND MANAGEMENT, IN**
8 **CONSULTATION WITH THE SECRETARY, SHALL DETERMINE THE POSITIONS FOR**
9 **WHICH THE SECRETARY MAY SET COMPENSATION UNDER PARAGRAPH (2) OF THIS**
10 **SUBSECTION.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2022.