

HB0507/963423/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 507
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “**EMERGENCY BILL**”; in the sponsor line, strike “**Delegate R. Lewis**” and substitute “**Delegates R. Lewis, Alston, Bagnall, Bhandari, Chisholm, Cullison, Guzzone, Hill, S. Johnson, Kaiser, Kerr, Lopez, Martinez, M. Morgan, Pena–Melnyk, Reilly, Rosenberg, Szeliga, Taveras, White, and Woods**”; in line 2, strike “**Graduate Registered Physicians – Licensure**” and substitute “**Supervised Medical Graduates**”; strike beginning with “establishing” in line 3 down through “penalties” in line 7 and substitute “authorizing a supervised medical graduate to provide delegated duties under direct supervision in accordance with regulations adopted by the State Board of Physicians”; in line 7, strike “licensure of graduate registered physicians” and substitute “supervised medical graduates”; strike in their entirety lines 8 through 12, inclusive; in line 15, strike “14–101(a–1)” and substitute “14–306”; and strike in their entirety lines 18 through 23, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 13, inclusive, and substitute:

“14–306.

(a) To the extent permitted by the rules, regulations, and orders of the Board, an individual to whom duties are delegated by a licensed physician may perform those duties without a license as provided in this section.

(b) The individuals to whom duties may be delegated under this section include any individual authorized to practice any other health occupation regulated under this article or § 13–516 of the Education Article.

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(c) The Board shall adopt rules and regulations to delineate the scope of this section. Before it adopts any rule or regulation under this section, the Board shall invite and consider proposals from any individual or health group that could be affected by the rule or regulation.

(d) (1) If a duty that is to be delegated under this section is a part of the practice of a health occupation that is regulated under this article by another board, any rule or regulation concerning that duty shall be adopted jointly by the Board of Physicians and the board that regulates the other health occupation.

(2) If the two boards cannot agree on a proposed rule or regulation, the proposal shall be submitted to the Secretary for a final decision.

(e) Except as otherwise provided in this section, an individual may perform X-ray duties without a license only if the duties:

(1) Do not include:

(i) Computerized or noncomputerized tomography;

(ii) Fluoroscopy;

(iii) Invasive radiology;

(iv) Mammography;

(v) Nuclear medicine;

(vi) Radiation therapy; or

(vii) Xerography;

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(2) Are limited to X-ray procedures of the:

(i) Chest, anterior-posterior and lateral;

(ii) Spine, anterior-posterior and lateral; or

(iii) Extremities, anterior-posterior and lateral, not including the
head; and

(3) Are performed:

(i) By an individual who is not employed primarily to perform X-
ray duties;

(ii) In the medical office of the physician who delegates the
duties; and

(iii) 1. By an individual who, before October 1, 2002, has:

A. Taken a course consisting of at least 30 hours of
training in performing X-ray procedures approved by the Maryland Radiological Society
in consultation with the Maryland Society of Radiologic Technologists; and

B. Successfully passed an examination based on that
course that has been approved by the Maryland Radiological Society in consultation
with the Maryland Society of Radiologic Technologists; or

2. By a licensed physician assistant who has completed a
course that includes anterior-posterior and lateral radiographic studies of extremities
on at least 20 separate patients under the direct supervision of the delegating physician

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or radiologist using a mini C–arm or similar low–level radiation machine to perform nonfluoroscopic X–ray procedures, if the duties:

A. Include only the X–ray procedures described in paragraph (2)(iii) of this subsection; and

B. Are performed pursuant to a Board–approved delegation agreement that includes a request to perform advanced duties under § 15–302(c)(2) of this article.

(f) (1) In accordance with regulations adopted by the Board, a licensed physician may delegate duties to a registered cardiovascular invasive specialist assisting in the physician’s performance of fluoroscopy if:

(i) The delegated duties are limited to a cardiac catheterization procedure performed in a hospital cardiac catheterization laboratory;

(ii) The physician is physically present and personally directs each act performed by the registered cardiovascular invasive specialist;

(iii) The registered cardiovascular invasive specialist has completed the training and education and has the experience required by regulations adopted by the Board; and

(iv) The hospital in which the cardiac catheterization laboratory is located has verified and documented that the registered cardiovascular invasive specialist has completed the training and education and has the experience required by regulations adopted by the Board.

(2) The hospital in which the cardiac catheterization laboratory is located and the physician delegating duties to a registered cardiovascular invasive

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specialist under this subsection are responsible for ensuring that all requirements of this subsection are met for each procedure.

(3) A disciplinary panel may impose a civil penalty of up to \$5,000 for each instance of a hospital's failure to comply with the requirements of this subsection.

(G) (1) (i) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(ii) "DIRECT SUPERVISION" MEANS OVERSIGHT EXERCISED BY A DELEGATING PHYSICIAN WHO IS:

- 1. PERSONALLY TREATING THE PATIENT; AND**
- 2. IN THE PRESENCE OF THE PATIENT AND THE SUPERVISED MEDICAL GRADUATE.**

(iii) "SUPERVISED MEDICAL GRADUATE" MEANS AN";

strike beginning with "IS" in line 14 down through "DOCTOR" in line 18 and substitute ":

1. HAS A DEGREE OF:

A. DOCTOR";

in line 21, strike "(2)" and substitute "B."; in the same line, strike "A DEGREE OF DOCTOR" and substitute "DOCTOR"; and in line 24, after "ASSOCIATION" insert ";
AND

(Over)

2. HAS PASSED PARTS 1 AND 2 OF THE UNITED STATES MEDICAL LICENSING EXAMINATION.

(2) IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD, A SUPERVISED MEDICAL GRADUATE MAY PERFORM DELEGATED DUTIES UNDER DIRECT SUPERVISION".

On pages 2 through 24, strike in their entirety the lines beginning with line 25 on page 2 through line 26 on page 24, inclusive.

AMENDMENT NO. 3

On page 24, after line 26, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted."