

SENATE BILL 200

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3lr1638

By: **Senator Lam (By Request – State Board of Chiropractic Examiners)**

Introduced and read first time: January 20, 2023

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 14, 2023

CHAPTER _____

1 AN ACT concerning

2 **Health Occupations – State Board of Chiropractic Examiners – Disciplinary**
3 **Actions and Procedures**

4 FOR the purpose of authorizing the State Board of Chiropractic Examiners to deny a license
5 to an applicant or take certain action against a licensee for failure to follow an order
6 of the Board; authorizing the Board to grant a stay of enforcement of a Board order
7 in accordance with the Administrative Procedure Act; prohibiting a Board order from
8 being stayed pending judicial review; authorizing the Board to appeal a decision that
9 reverses or modifies its order; authorizing the Board to reinstate a suspended or
10 revoked license only under certain circumstances; and generally relating to
11 chiropractors.

12 BY repealing and reenacting, with amendments,
13 Article – Health Occupations
14 Section 3–313(28) and (29) and 3–316
15 Annotated Code of Maryland
16 (2021 Replacement Volume and 2022 Supplement)

17 BY adding to
18 Article – Health Occupations
19 Section 3–313(30) and 3–317
20 Annotated Code of Maryland
21 (2021 Replacement Volume and 2022 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Health Occupations**

4 3–313.

5 Subject to the hearing provisions of § 3–315 of this subtitle, the Board may deny a
6 license to any applicant, reprimand any licensee, place any licensee on probation, with or
7 without conditions, or suspend or revoke a license, or any combination thereof, if the
8 applicant or licensee:

9 (28) Violates any provision of this title; [or]

10 (29) Fails to submit to a criminal history records check in accordance with §
11 3–302.1 of this subtitle; OR

12 **(30) FAILS TO COMPLY WITH ANY BOARD ORDER.**

13 3–316.

14 (a) Except as provided in this section for an action under § 3–313 of this subtitle,
15 any person aggrieved by a final decision of the Board in a contested case, as defined in the
16 Administrative Procedure Act, may petition for judicial review as allowed by the
17 Administrative Procedure Act.

18 (b) Any person aggrieved by a final decision of the Board under § 3–313 of this
19 subtitle may not appeal to the Secretary but may take a direct judicial appeal as provided
20 in the Administrative Procedure Act.

21 **(C) (1) THE BOARD MAY GRANT A STAY OF ENFORCEMENT OF A BOARD**
22 **ORDER IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.**

23 **(2) AN ORDER OF THE BOARD MAY NOT BE STAYED PENDING**
24 **JUDICIAL REVIEW.**

25 **(D) THE BOARD MAY APPEAL ANY DECISION THAT REVERSES OR MODIFIES**
26 **ITS ORDER.**

27 3–317.

28 **IF A LICENSE HAS BEEN SUSPENDED OR REVOKED UNDER § 3–313 OF THIS**
29 **SUBTITLE, THE BOARD MAY REINSTATE THE LICENSE ONLY IN ACCORDANCE WITH:**

1 **(1) THE TERMS AND CONDITIONS OF THE ORDER OF SUSPENSION OR**
2 **REVOCAATION; OR**

3 **(2) AN ORDER OF REINSTATEMENT ISSUED BY THE BOARD.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.