

SENATE BILL 349

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3lr1903
CF HB 19

By: **Senator M. Washington**

Introduced and read first time: January 30, 2023

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 21, 2023

CHAPTER _____

1 AN ACT concerning

2 **State Board of Examiners of Psychologists – License and Registration Issuance**
3 **and Renewals – Electronic Means**

4 FOR the purpose of requiring the State Board of Examiners of Psychologists to issue
5 electronic licenses and ~~certificates~~ registrations, except under certain circumstances;
6 repealing the requirement that the Board include certain information on each license
7 and registration; altering the circumstances under which the Board is required to
8 send renewal notices by first-class mail; and generally relating to the State Board of
9 Examiners of Psychologists.

10 BY repealing and reenacting, with amendments,
11 Article – Health Occupations
12 Section 18–306 and 18–309
13 Annotated Code of Maryland
14 (2021 Replacement Volume and 2022 Supplement)

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 18–306.

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 (a) **(1)** ~~The~~ **EXCEPT AS PROVIDED FOR IN PARAGRAPH (2) OF THIS**
2 **SUBSECTION, THE** Board shall issue [a] AN ELECTRONIC license or registration to any
3 applicant who meets the requirements of this title.

4 **(2)** **ON SPECIFIC REQUEST OF AN APPLICANT, THE BOARD SHALL**
5 **PRINT FROM ITS WEBSITE A PAPER COPY OF THE VERIFICATION OF LICENSURE OR**
6 **REGISTRATION AND SEND IT BY FIRST-CLASS MAIL TO THE ADDRESS ON THE**
7 **APPLICATION FOR THE LICENSE OR REGISTRATION.**

8 [(b) The Board shall include on each license or registration that the Board issues:

9 (1) The full name of the licensee or registrant;

10 (2) The dates of issuance and expiration;

11 (3) A serial number;

12 (4) The signatures of the chairman and the vice chairman of the Board; and

13 (5) The seal of the Board.]

14 [(c) **(B)** (1) On receipt of the criminal history record information of an
15 applicant for licensure or registration forwarded to the Board in accordance with § 18–302.1
16 of this subtitle, in determining whether to grant a license or registration, the Board shall
17 consider:

18 (i) The age at which the crime was committed;

19 (ii) The circumstances surrounding the crime;

20 (iii) The length of time that has passed since the crime;

21 (iv) Subsequent work history;

22 (v) Employment and character references; and

23 (vi) Other evidence that demonstrates whether the applicant poses a
24 threat to the public health or safety.

25 (2) The Board may not issue a license or registration if the criminal history
26 record information required under § 18–302.1 of this subtitle has not been received.

27 18–309.

28 (a) (1) A license or registration expires on the date set by the Board, unless it
29 is renewed for an additional term as provided in this section.

1 (2) A license or registration may not be renewed for a term longer than 2
2 years.

3 (b) (1) (i) At least 90 days before a license expires, the Board shall send a
4 renewal notice to the licensee[:

5 1. By first-class mail to the last known address of the
6 licensee; or

7 2. If requested by the licensee,] by electronic means to the
8 last known electronic mail address of the licensee.

9 (ii) If a renewal notice sent by electronic means [under
10 subparagraph (i)2 of this paragraph] is returned to the Board as undeliverable, **OR ON**
11 **SPECIFIC REQUEST BY THE LICENSEE**, the Board shall send a renewal notice to the
12 licensee by first-class mail to the last known address of the licensee.

13 (2) **(I)** At least 90 days before a registration expires, the Board shall
14 send a renewal notice to the registrant[:

15 (i) By first-class mail to the last known address of the registrant; or

16 (ii) By] **BY** electronic means to the last known electronic mail
17 address of the registrant.

18 **(II) IF A RENEWAL NOTICE SENT BY ELECTRONIC MEANS IS**
19 **RETURNED TO THE BOARD AS UNDELIVERABLE, OR ON SPECIFIC REQUEST BY THE**
20 **REGISTRANT, THE BOARD SHALL SEND A RENEWAL NOTICE TO THE REGISTRANT BY**
21 **FIRST-CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE REGISTRANT.**

22 (c) The renewal notice sent under subsection (b) of this section shall state:

23 (1) The date on which the current license or registration expires;

24 (2) The date by which the renewal application must be received by the
25 Board for the renewal to be issued and mailed before the license or registration expires;
26 and

27 (3) The amount of the renewal fee.

28 (d) Each licensee or registrant shall notify the Board in writing of any change in
29 the licensee's or registrant's address or electronic mail address within 30 days after the
30 change occurs.

1 (e) Before the license or registration expires, the licensee or registrant
2 periodically may renew it for an additional 2-year term, if the licensee or registrant:

3 (1) Otherwise is entitled to be licensed or registered;

4 (2) Pays to the Board a renewal fee set by the Board; and

5 (3) Submits to the Board:

6 (i) A renewal application on the form that the Board requires; and

7 (ii) Satisfactory evidence of compliance with any continuing
8 education requirements set under this section for license or registration renewal.

9 (f) (1) The Board may establish continuing education requirements as a
10 condition to the renewal of licenses or registrations under this section.

11 (2) The requirements established under this subsection shall be set by the
12 Board as to the amount and type of study required.

13 (g) The Board shall renew the license or registration of each licensee or registrant
14 who meets the requirements of this section.

15 (h) (1) (i) Beginning March 2019, the Board shall begin a process requiring
16 criminal history records checks in accordance with § 18-302.1 of this subtitle on:

17 1. Selected annual renewal applicants as determined by
18 regulations adopted by the Board; and

19 2. Each former licensee or registrant who files for
20 reinstatement under § 18-310 of this subtitle after failing to renew the license or
21 registration for a period of 1 year or more.

22 (ii) An additional criminal history records check shall be performed:

23 1. 6 years after a renewal applicant submitted to a criminal
24 history records check under § 18-302(e) of this subtitle; and

25 2. Every 6 years after a renewal applicant was required to
26 submit to a criminal history records check under subparagraph (i)1 of this paragraph.

27 (2) On receipt of the criminal history record information of a licensee
28 forwarded to the Board in accordance with § 18-302.1 of this subtitle, in determining
29 whether to renew a license or registration, the Board shall consider:

30 (i) The age at which the crime was committed;

- 1 (ii) The circumstances surrounding the crime;
- 2 (iii) The length of time that has passed since the crime;
- 3 (iv) Subsequent work history;
- 4 (v) Employment and character references; and
- 5 (vi) Other evidence that demonstrates whether the licensee poses a
- 6 threat to the public health or safety.

7 (3) The Board may not renew a license or registration if the criminal

8 history record information required under § 18–302.1 of this subtitle has not been received.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

10 October 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.