

HOUSE BILL 757

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EMERGENCY BILL

4lr2790

By: **Delegate R. Lewis**

Introduced and read first time: January 31, 2024

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Physicians – Supervised Medical Graduates and Cardiovascular**
3 **Invasive Specialists**
4 **(Bridge to Medical Residency Act)**

5 FOR the purpose of authorizing a supervised medical graduate to provide delegated duties
6 under direct supervision in accordance with regulations adopted by the State Board
7 of Physicians; repealing the termination of certain provisions of law relating to
8 delegation of duties by licensed physicians to cardiovascular invasive specialists; and
9 generally relating to the delegation of duties by licensed physicians.

10 BY repealing and reenacting, with amendments,
11 Article – Health Occupations
12 Section 14–306
13 Annotated Code of Maryland
14 (2021 Replacement Volume and 2023 Supplement)

15 BY repealing and reenacting, with amendments,
16 Chapter 445 of the Acts of the General Assembly of 2019
17 Section 4

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

20 **Article – Health Occupations**

21 14–306.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

16 (1) Do not include:

17 (i) Computerized or noncomputerized tomography;

18 (ii) Fluoroscopy;

19 (iii) Invasive radiology;

20 (iv) Mammography;

21 (v) Nuclear medicine;

22 (vi) Radiation therapy; or

23 (vii) Xerography;

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

25 (i) Chest, anterior–posterior and lateral;

26 (ii) Spine, anterior–posterior and lateral; or

27 (iii) Extremities, anterior–posterior and lateral, not including the
28 head; and

29 (3) Are performed:

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

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

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

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

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

12 2. By a licensed physician assistant who has completed a
13 course that includes anterior-posterior and lateral radiographic studies of extremities on
14 at least 20 separate patients under the direct supervision of the delegating physician or
15 radiologist using a mini C-arm or similar low-level radiation machine to perform
16 nonfluoroscopic X-ray procedures, if the duties:

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

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

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

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

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

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

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

1 (2) The hospital in which the cardiac catheterization laboratory is located
2 and the physician delegating duties to a registered cardiovascular invasive specialist under
3 this subsection are responsible for ensuring that all requirements of this subsection are
4 met for each procedure.

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

7 **(G) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE**
8 **MEANINGS INDICATED.**

9 **(II) "DIRECT SUPERVISION" MEANS OVERSIGHT EXERCISED BY**
10 **A DELEGATING PHYSICIAN WHO IS:**

11 1. **PERSONALLY TREATING THE PATIENT; AND**

12 2. **IN THE PRESENCE OF THE PATIENT AND THE**
13 **SUPERVISED MEDICAL GRADUATE.**

14 **(III) "SUPERVISED MEDICAL GRADUATE" MEANS AN INDIVIDUAL**
15 **WHO:**

16 1. **HAS A DEGREE OF:**

17 A. **DOCTOR OF MEDICINE FROM A MEDICAL SCHOOL**
18 **THAT IS ACCREDITED BY AN ACCREDITING ORGANIZATION THAT THE BOARD**
19 **RECOGNIZES IN ITS REGULATIONS; OR**

20 B. **DOCTOR OF OSTEOPATHY FROM A SCHOOL OF**
21 **OSTEOPATHY IN THE UNITED STATES, ITS TERRITORIES OR POSSESSIONS, PUERTO**
22 **RICO, OR CANADA THAT HAS STANDARDS FOR GRADUATION EQUIVALENT TO THOSE**
23 **ESTABLISHED BY THE AMERICAN OSTEOPATHIC ASSOCIATION; AND**

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

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

29 **Chapter 445 of the Acts of 2019**

30 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2019. [It shall remain effective for a period of 5 years and, at the end of

1 September 30, 2024, this Act, with no further action required by the General Assembly,
2 shall be abrogated and of no further force and effect.】

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