



Board of Physicians

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Damean W.E. Freas, D.O., Chair

2021 SESSION POSITION PAPER

BILL NO.: SB 938
COMMITTEE: Senate Education, Health, and Environmental Affairs
POSITION: Information

TITLE: Health Occupations – Service Members, Veterans, and Military Spouses – Temporary Licensure, Certification, and Registration

BILL ANALYSIS: SB 938 requires certain health occupations boards, including the Maryland Board of Physicians (the “Board”), to issue an expedited temporary license to a service member, veteran, or military spouse who meets certain requirements. The bill also permits a health occupations board to apply to the Secretary of Health for approval of an alternate process for licensure that does not meet certain requirements.

POSITION & RATIONALE: It is the Board’s position that no changes are needed to §1-701 through §1-706 of the Health Occupations Article to expedite the processing of applications submitted by service members, veterans, and military spouses. The Board has implemented legislation passed in 2013, and the process is working well to expedite licensure for service members, veterans, and military spouses. In addition, for physician applicants with licenses in other states, the Board offers alternate pathways to licensure either through reciprocity or through the Interstate Medical Licensure Compact.

The Board does not issue temporary licenses for any practitioners regulated by the Board. The expedited temporary license described in the bill essentially creates a new licensure category that would require, at least, a part-time licensure analyst, changes to the Board’s licensure process, updates to its information technology system, and development of a new application for an expedited temporary license. The Board also would need to promulgate regulations.

In addition, the Board wishes to bring to the committee’s attention the following:

- On Page 3, in lines 26-29, there is language about “proof of application” for a criminal history records check (“CHRC”). This language conflicts with the Board’s statute, which requires that licensure applicants complete a CHRC.
- On Page 4, in lines 3-7, there is a provision about licensure requirements in other states. It appears this would require Board staff to research licensure qualifications of other states to determine if those requirements are “substantially equivalent to” or “exceed” Maryland’s requirements. Such research would add steps to the process, which will have the adverse effect of extending the licensure timeline.

- The bill does not address expiration or renewal of the temporary license. The lack of such language creates a potential burden for the Board to investigate whether an individual is practicing the health occupation without a license, if the temporary license is not active and full licensure remains pending.

There are no issues with the Board's current process, rendering SB 938 unnecessary. The Board requests that the committee vote SB 938 as unfavorable.

For more information, please contact Wynnee Hawk, Manager, Policy and Legislation, Maryland Board of Physicians, 410-764-3786.

The opinion of the Board expressed in this document does not necessarily reflect that of the Maryland Department of Health or the Administration.