
By: Delegates Stup and Grosfeld

Introduced and read first time: February 1, 1996

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Podiatrists and Psychologists - Complaints**

3 FOR the purpose of requiring the State Board of Podiatric Medical Examiners to provide
4 notice to a licensed podiatrist against whom a complaint has been filed; requiring
5 the State Board of Examiners of Psychologists to establish rules for receiving and
6 investigating complaints; requiring notice of the complaint to the licensed
7 psychologist against whom the complaint is filed; requiring periodic notification of
8 complaints to licensed podiatrists and licensed psychologists and the complainant;
9 and generally relating to licensed podiatrists and psychologists and complaints.

10 BY repealing and reenacting, with amendments,
11 Article - Health Occupations
12 Section 16-205 and 18-206
13 Annotated Code of Maryland
14 (1994 Replacement Volume and 1995 Supplement)

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

17 **Article - Health Occupations**

18 16-205.

19 (a) In addition to the powers set forth elsewhere in this title, the Board may:

20 (1) Adopt rules and regulations to carry out the provisions of this title;

21 (2) After consulting with the State Board of Pharmacy, adopt rules and
22 regulations regarding the dispensing of prescription drugs by a licensed podiatrist; and

23 (3) On receipt of a written and signed complaint, investigate an alleged
24 violation of this title.

25 (b) In addition to the duties set forth elsewhere in this title, the Board shall:

26 (1) Keep a complete record of all its transactions;

27 (2) Investigate any alleged unauthorized practice of podiatry and, if the
28 results of the investigation indicate that the allegation has merit, report it to the State's
29 Attorney of the county where the alleged violation occurred; and

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1 (3) On receipt of a written and signed complaint, including a referral from
2 the Commissioner of Labor and Industry[,]:

3 (I) PROVIDE NOTICE TO THE LICENSED PODIATRIST THAT A
4 COMPLAINT HAS BEEN FILED AGAINST THE LICENSED PODIATRIST AND FORWARD A
5 COPY OF THE COMPLAINT TO THE LICENSED PODIATRIST WITHIN 60 DAYS OF
6 RECEIPT OF THE COMPLAINT;

7 (II) NOTIFY, AT LEAST EVERY 3 MONTHS, THE LICENSED
8 PODIATRIST AND THE COMPLAINANT AS TO THE STATUS OF THE COMPLAINT; AND

9 (III) [Conduct]CONDUCT an unannounced inspection of the office of
10 a podiatrist, other than an office of a podiatrist in a hospital, related institution,
11 freestanding medical facility, or a freestanding birthing center, to determine compliance
12 at that office with the Centers for Disease Control's guidelines on universal precautions.

13 18-206.

14 (a) In addition to the powers set forth elsewhere in this title, theBoard may adopt
15 rules and regulations to carry out the provisions of this title.

16 (b) In addition to the duties set forth elsewhere in this title, theBoard shall:

17 (1) ESTABLISH PROCEDURES FOR RECEIVING AND INVESTIGATING
18 COMPLAINTS, INCLUDING:

19 (I) PROVIDING NOTICE TO THE LICENSED PSYCHOLOGIST THAT A
20 COMPLAINT HAS BEEN FILED AGAINST THE LICENSED PSYCHOLOGIST AND
21 FORWARDING A COPY OF THE COMPLAINT TO THE LICENSED PSYCHOLOGIST
22 WITHIN 60 DAYS OF RECEIPT OF THE COMPLAINT; AND

23 (II) NOTIFYING, AT LEAST EVERY 3 MONTHS, THE LICENSED
24 PSYCHOLOGIST AND THE COMPLAINANT AS TO THE STATUS OF THE COMPLAINT;

25 (2) Submit an annual report of its activities to the Secretary as soon as
26 practicable after the end of each fiscal year; and

27 [(2)] (3) Adopt an official seal.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1996.