

**Department of Fiscal Services**  
Maryland General Assembly

**FISCAL NOTE**

House Bill 797 (Chairman, Environmental Matters Committee)  
(Departmental - Health and Mental Hygiene)  
Environmental Matters

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**Board of Physician Quality Assurance**

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This bill updates physician licensing requirements, specified disciplinary and investigative provisions, and certain reporting requirements; and increases specified fines.

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**Fiscal Summary**

**State Effect:** None (see below).

**Local Effect:** Potential indeterminate increase in revenues due to the bill's increase in the current monetary penalty provision.

**Small Business Effect:** The Department of Health and Mental Hygiene has determined that this bill has minimal or no impact on small business (attached). Fiscal Services concurs with this assessment.

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**Fiscal Analysis**

**Bill Summary:** The Board of Physician Quality Assurance is required to accept the following examinations for licensure as long as the applicant achieves a passing score as set by the board: (1) U.S. medical licensing examinations; (2) the National Board of Medical Examiners' examination; (3) the National Board of Examiners for Osteopathic Physicians and Surgeons' examinations; (4) Federation Licensing (FLEX) Examination; (5) the board of medical examiners' of another state or Washington, D.C. examination; or (6) Medical Council; of Canada Qualifying Examination.

All current licensure provisions relating to those examinations are eliminated. However, the board is also required to establish any other qualifications for examinations of medical school graduates in its regulations.

The bill adds to the reasons available to the board for disciplinary action of a licensee. However, breach of a service obligation in connection with State or federal funding of medical education is eliminated as a reason. The board is authorized to issue nonpublic advisory opinions on a licensee's practices and activities when there is insufficient evidence for official disciplinary action.

The bill allows, rather than requires, the board to provide hospitals, health maintenance organizations, or health care facilities with periodic reports on disciplinary matters. The bill alters the circumstances under which licensing or disciplinary information may be shared with another state.

In addition, the bill adds individuals who have served in a post graduate training program as subjects of specified reports that must be filed by hospitals. The circumstances under which an alternative health system must file a specified report on certain licensees are also altered. The maximum circuit court civil penalty for a failure to report on these matters is increased from \$5,000 to \$10,000.

**State Expenditures:** The board could incur some nominal copying costs in connection with sharing information with other states. However, reciprocation of shared information would produce a nominal savings in time and money. Accordingly, Board of Physician Quality Assurance Fund expenditures would not be appreciably affected.

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**Information Source(s):** Department of Health and Mental Hygiene (Board of Physician Quality Assurance), Department of Fiscal Services

**Fiscal Note History:** First Reader - February 15, 1996

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