Unofficial Copy J3

By: **Delegates Redmer, Boutin, Ports, Eckardt, and Hubbard** Introduced and read first time: February 11, 2000 Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2	Hospitals and Related Institutions - Staff Use and Privileges - Licensed
3	Nurse Midwives
4	FOR the purpose of requiring certain hospitals or related institutions to make

5 provision for the use of their facilities by and staff privileges for certified nurse

6 midwives; authorizing a hospital or related institution to restrict use of its

7 facility and staff privileges by certified nurse midwives to those who meet

8 certain qualifications of the hospital or related institution; providing for the

9 construction of this Act; providing for the governance of the decision of a certain

10 physician if there is a disagreement between a nurse midwife and the physician;

11 and generally relating to the use of certain health care facilities by and staff

12 privileges for certain certified nurse midwives.

13 BY repealing and reenacting, with amendments,

14 Article - Health - General

15 Section 19-351

16 Annotated Code of Maryland

17 (1996 Replacement Volume and 1999 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

19 MARYLAND, That the Laws of Maryland read as follows:

20 Article - Health - General

21 19-351.

22 (a) Except as provided in subsections (b) and (d) of this section, this subtitle 23 does not affect the right of a hospital or related institution to employ or appoint staff.

24 (b) (1) A hospital or related institution that provides services that licensed

25 podiatrists are authorized to perform under Title 16 of the Health Occupations

26 Article, other than incidental care, shall include, in its bylaws, rules, or regulations,

27 provisions for use of facilities by and staff privileges for qualified podiatrists.

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1 (2)The hospital or related institution may restrict use of facilities and 2 staff privileges by podiatrists to those podiatrists who meet the qualifications that the 3 hospital or related institution sets for granting those privileges. 4 A hospital or related institution shall include in its bylaws, rules, or (c) (1)5 regulations provisions for use of facilities by and staff privileges for qualified dentists. 6 The hospital or related institution may restrict use of facilities and (2)7 staff privileges by dentists to those dentists who meet the qualifications that the 8 hospital or related institution sets for granting those privileges. 9 (d) A hospital or related institution that provides services of the type (1)10 that licensed psychologists are permitted to perform under Title 18 of the Health Occupations Article shall include in its bylaws, rules, or regulations, provisions for 11 12 use of facilities by and staff privileges for qualified psychologists. 13 (2)The hospital or related institution may restrict use of facilities and 14 staff privileges by psychologists to those psychologists who meet the qualifications 15 that the hospital or related institution sets for granting those privileges. 16 Nothing in this subsection shall be construed to require a (3)(i) 17 hospital to: 18 1. Grant admitting privileges to a psychologist; or 19 2. Permit the exercise of those privileges granted by the 20 hospital board of trustees to psychologists without appropriate collaboration with the 21 physician who has privileges to admit and attend patients in the unit of the facility 22 where the patient is being treated and who has ongoing responsibility for the patient. 23 In the event of a disagreement between the psychologist and the (ii) 24 physician concerning the patient's treatment, the decision of the physician who has 25 ongoing responsibility for the patient shall govern. A HOSPITAL OR RELATED INSTITUTION THAT PROVIDES SERVICES 26 (E) (1)27 OF THE TYPE THAT CERTIFIED NURSE MIDWIVES ARE ALLOWED TO PERFORM 28 UNDER THE HEALTH OCCUPATIONS ARTICLE SHALL INCLUDE IN ITS BYLAWS, 29 RULES, OR REGULATIONS PROVISIONS FOR USE OF FACILITIES BY ADMITTING AND 30 STAFF PRIVILEGES FOR QUALIFIED CERTIFIED NURSE MIDWIVES. THE HOSPITAL OR RELATED INSTITUTION MAY RESTRICT USE OF 31 (2)32 FACILITIES AND STAFF PRIVILEGES TO THOSE CERTIFIED NURSE MIDWIVES WHO 33 MEET THE QUALIFICATIONS THAT THE HOSPITAL OR RELATED INSTITUTION SETS

34 FOR GRANTING THOSE PRIVILEGES.

35 (3) (I) NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO 36 REQUIRE A HOSPITAL TO:

371.GRANT ADMITTING PRIVILEGES TO A CERTIFIED NURSE38 MIDWIFE;

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- 1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 2 October 1, 2000.