

HOUSE BILL 287

J2

(11r0534)

ENROLLED BILL

— *Health and Government Operations/Education, Health, and Environmental Affairs* —

Introduced by ~~Delegate Pena-Melnyk~~ Delegates Pena-Melnyk, Bromwell, Tarrant, Cullison, V. Turner, Pendergrass, Nathan-Pulliam, A. Kelly, and Oaks

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Maryland Perfusion Act**

3 FOR the purpose of requiring the State Board of Physicians to adopt regulations for
4 the licensure and practice of perfusion; providing that this Act does not limit the
5 rights of certain individuals to practice certain occupations; authorizing the
6 Board to set certain fees; establishing the Perfusion Advisory Committee within
7 the Board; providing for the membership, powers, and duties of the Committee;
8 establishing the terms and requirements for certain members of the Committee;
9 requiring that on or before a certain date an individual be licensed by the Board
10 before the individual may practice perfusion; providing that certain licensing
11 provisions do not apply to students practicing perfusion under certain
12 circumstances; providing for the qualifications for a license to practice

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 perfusion; providing that certain applicants who qualify for a license under
 2 certain circumstances are entitled to be licensed for a single term; providing for
 3 the scope of a license to practice perfusion; providing for the issuance,
 4 expiration, and renewal of certain licenses; authorizing the Board to deny a
 5 license to an applicant, refuse to renew a license, reprimand a licensee, suspend
 6 or revoke a license, or impose certain penalties under certain circumstances;
 7 establishing certain hearing and appeal procedures for licensed perfusionists;
 8 prohibiting certain acts; providing for certain criminal and civil penalties;
 9 establishing certain reporting requirements; requiring that an evaluation of the
 10 Committee be performed on or before a certain date; ~~providing for the waiver of~~
 11 ~~certain licensure requirements under certain circumstances;~~ requiring that
 12 initial perfusionist members of the Committee apply for and receive a license
 13 within a certain period of time; specifying the terms of the initial members of
 14 the Committee; defining certain terms; ~~providing for the termination of certain~~
 15 ~~provisions of this Act~~ providing for a delayed effective date; and generally
 16 relating to the regulation and licensure of perfusion.

17 BY renumbering

18 Article – State Government
 19 Section 8–403(b)(46) through (68), respectively
 20 to be Section 8–403(b)(47) through (69), respectively
 21 Annotated Code of Maryland
 22 (2009 Replacement Volume and 2010 Supplement)

23 BY adding to

24 Article – Health Occupations
 25 Section 14–5E–01 through ~~14–5E–26~~ ~~14–5E–24~~ 14–5E–25 to be under the new
 26 subtitle “Subtitle 5E. Perfusionists”
 27 Annotated Code of Maryland
 28 (2009 Replacement Volume and 2010 Supplement)

29 BY repealing and reenacting, without amendments,

30 Article – State Government
 31 Section 8–403(a)
 32 Annotated Code of Maryland
 33 (2009 Replacement Volume and 2010 Supplement)

34 BY adding to

35 Article – State Government
 36 Section 8–403(b)(46)
 37 Annotated Code of Maryland
 38 (2009 Replacement Volume and 2010 Supplement)

39 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 40 MARYLAND, That Section(s) 8–403(b)(46) through (68), respectively, of Article – State
 41 Government of the Annotated Code of Maryland be renumbered to be Section(s)
 42 8–403(b)(47) through (69), respectively.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
2 read as follows:

3 **Article – Health Occupations**

4 **SUBTITLE 5E. PERFUSIONISTS.**

5 **14-5E-01.**

6 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
7 INDICATED.

8 (B) “BOARD” MEANS THE STATE BOARD OF PHYSICIANS.

9 (C) “COMMITTEE” MEANS THE PERFUSION ADVISORY COMMITTEE
10 ESTABLISHED UNDER § 14-5E-05 OF THIS SUBTITLE.

11 (D) “LICENSE” MEANS A LICENSE ISSUED BY THE BOARD TO PRACTICE
12 PERFUSION.

13 (E) “LICENSED PERFUSIONIST” MEANS A PERFUSIONIST WHO IS
14 LICENSED BY THE BOARD UNDER THIS SUBTITLE TO PRACTICE PERFUSION.

15 (F) (1) “PRACTICE PERFUSION” MEANS TO PERFORM THE
16 FUNCTIONS NECESSARY FOR THE SUPPORT, TREATMENT, MEASUREMENT, OR
17 SUPPLEMENTATION OF THE CARDIOVASCULAR, CIRCULATORY, OR
18 RESPIRATORY SYSTEMS, OR OTHER ORGANS TO ENSURE THE SAFE
19 MANAGEMENT OF PHYSIOLOGIC FUNCTIONS BY MONITORING AND ANALYZING
20 THE PARAMETERS OF THE SYSTEMS UNDER AN ORDER AND THE SUPERVISION
21 OF A LICENSED PHYSICIAN.

22 (2) “PRACTICE PERFUSION” INCLUDES:

23 (I) CARDIOPULMONARY BYPASS FOR ADULT, PEDIATRIC,
24 AND NEONATAL PATIENTS;

25 (II) EXTRACORPOREAL CIRCULATORY SUPPORT FOR
26 RENAL, NEUROLOGICAL, HEPATIC, AND VASCULAR SURGERY;

27 (III) EXTRACORPOREAL RESUSCITATION;

28 (IV) EXTRACORPOREAL CIRCULATION FOR LONG-TERM
29 SUPPORT OF FAILING RESPIRATORY OR CARDIAC FUNCTION;

- 1 (V) EXTRACORPOREAL MEMBRANE OXYGENATION;
- 2 (VI) EXTRACORPOREAL CARBON DIOXIDE REMOVAL;
- 3 (VII) MYOCARDIAL PROTECTION;
- 4 (VIII) PERFUSION-ASSISTED DIRECT CORONARY ARTERY
5 BYPASS;
- 6 (IX) HEMOFILTRATION AND HEMODIALYSIS;
- 7 (X) ANTICOAGULATION AND HEMOSTASIS MONITORING,
8 ANALYSIS, AND INTERVENTION;
- 9 (XI) THERMAL REGULATION;
- 10 (XII) BLOOD GAS AND BLOOD CHEMISTRY MONITORING,
11 ANALYSIS, AND INTERVENTION;
- 12 (XIII) PHYSIOLOGICAL MONITORING, ANALYSIS, AND
13 INTERVENTION;
- 14 (XIV) ADMINISTRATION OF BLOOD COMPONENTS,
15 ~~PHARMACEUTICALS, AND ANESTHETIC AGENTS~~ AND PHARMACEUTICALS;
- 16 (XV) ADMINISTRATION OF ANESTHETIC AGENTS THROUGH A
17 HEART LUNG MACHINE AT THE DIRECTION OF AN ANESTHESIOLOGIST;
- 18 ~~(XV)~~ (XVI) VENTRICULAR ASSIST DEVICE AND MECHANICAL
19 CIRCULATORY SUPPORT MANAGEMENT;
- 20 ~~(XVI)~~ (XVII) INTRA-AORTIC BALLOON COUNTERPULSATION;
- 21 ~~(XVII)~~ (XVIII) TEMPORARY PACEMAKER MANAGEMENT;
- 22 ~~(XVIII)~~ (XIX) PERIODIC FLOW AUGMENTATION THERAPY;
- 23 ~~(XIX)~~ (XX) AUTOTRANSFUSION;
- 24 ~~(XX)~~ (XXI) PLATELET GEL PRODUCTION, AUTOLOGOUS
25 HEMOCYTE TISSUE MATRIX PRODUCTION;
- 26 ~~(XXI)~~ (XXII) NONDIFFERENTIATED PROGENITOR CELL
27 HARVEST BONE MARROW ASPIRATE CONCENTRATE;

- 1 ~~(XXII)~~ (XXIII) ACUTE NORMOVOLIC HEMODILUTION;
- 2 ~~(XXIII)~~ (XXIV) ISOLATED LIMB OR ORGAN DELIVERY OF
3 CHEMOTHERAPEUTICS, PROGENITOR CELLS, GENE THERAPY VECTORS, AND
4 OTHER ITEMS;
- 5 ~~(XXIV)~~ (XXV) ORGAN PROCUREMENT AND
6 PRESERVATION;
- 7 ~~(XXV)~~ (XXVI) THERMOGENIC LAVAGE;
- 8 ~~(XXVI)~~ (XXVII) ELECTROPHYSIOLOGICAL ANALYSIS;
- 9 ~~(XXVII)~~ (XXVIII) THERAPEUTIC HYPERTHERMIA;
- 10 ~~(XXVIII)~~ (XXIX) INTRAVASCULAR MEMBRANE
11 OXYGENATION; AND
- 12 ~~(XXIX)~~ (XXX) RENAL PERFUSION.

13 (G) "STUDENT" MEANS AN INDIVIDUAL WHO, IN ACCORDANCE WITH §
14 14-5E-09(C) OF THIS SUBTITLE, IS:

15 (1) ENROLLED IN AN ACCREDITED EDUCATIONAL PROGRAM TO
16 QUALIFY FOR A LICENSE UNDER THIS SUBTITLE; AND

17 (2) PERFORMING PERFUSION SERVICES WITHIN THE
18 ACCREDITED PROGRAM UNDER THE SUPERVISION OF A LICENSED
19 PERFUSIONIST AND WITHOUT COMPENSATION.

20 (H) "SUPERVISION" MEANS THE ~~EXERCISE OF DIRECTION BY A~~
21 ~~LICENSED PERFUSIONIST WHO IS ON SITE OR IMMEDIATELY AVAILABLE TO~~
22 ~~ADEQUATELY~~ RESPONSIBILITY OF A LICENSED PHYSICIAN TO EXERCISE ON SITE
23 OR IMMEDIATELY AVAILABLE DIRECTION FOR A LICENSED PERFUSIONIST TO
24 ENSURE THE SAFETY AND WELFARE OF ~~CLIENTS~~ PATIENTS DURING THE
25 COURSE OF PERFUSION.

26 14-5E-02.

27 THIS SUBTITLE DOES NOT LIMIT THE RIGHT OF AN INDIVIDUAL TO
28 PRACTICE A HEALTH OCCUPATION THAT THE INDIVIDUAL IS AUTHORIZED TO
29 PRACTICE UNDER THIS ARTICLE.

1 **14-5E-03.**

2 **THE BOARD SHALL ADOPT REGULATIONS FOR THE LICENSURE AND**
3 **PRACTICE OF PERFUSION.**

4 **14-5E-04.**

5 **(A) (1) THE BOARD SHALL SET REASONABLE FEES FOR THE**
6 **ISSUANCE AND RENEWAL OF LICENSES AND OTHER SERVICES IT PROVIDES TO**
7 **PERFUSIONISTS.**

8 **(2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS**
9 **TO APPROXIMATE THE COST OF MAINTAINING THE LICENSURE PROGRAM AND**
10 **THE OTHER SERVICES PROVIDED TO PERFUSIONISTS.**

11 **(B) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THE**
12 **PROVISIONS OF THIS SUBTITLE TO THE COMPTROLLER.**

13 **(2) THE COMPTROLLER SHALL DISTRIBUTE ALL FEES TO THE**
14 **BOARD.**

15 **(C) THE FEES SHALL BE USED TO COVER THE ACTUAL DOCUMENTED**
16 **DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND**
17 **REGULATORY DUTIES OF THE BOARD AS PROVIDED BY THE PROVISIONS OF**
18 **THIS SUBTITLE.**

19 **14-5E-05.**

20 **THERE IS A PERFUSION ADVISORY COMMITTEE WITHIN THE BOARD.**

21 **14-5E-06.**

22 **(A) THE COMMITTEE CONSISTS OF ~~FIVE~~ SEVEN MEMBERS, APPOINTED**
23 **BY THE BOARD AS FOLLOWS:**

24 **(1) (I) ON OR BEFORE SEPTEMBER 30, ~~2012~~ 2013, THREE**
25 **INDIVIDUALS WHO PRACTICE PERFUSION AND WHO:**

26 **1. ARE CERTIFIED BY A NATIONAL CERTIFYING**
27 **BOARD; AND**

28 **2. HAVE A MINIMUM OF 2 YEARS EXPERIENCE; AND**

1 (ii) ON OR AFTER OCTOBER 1, ~~2012~~ 2013, THREE LICENSED
2 PERFUSIONISTS;

3 (2) ~~ONE PHYSICIAN WHO HAS KNOWLEDGE OF THE PRACTICE OF~~
4 ~~PERFUSION~~ THREE PHYSICIANS, AT LEAST ONE OF WHOM PERFORMS CARDIAC
5 OR CARDIO-THORACIC SURGERY; AND

6 (3) ONE CONSUMER MEMBER.

7 (b) THE CONSUMER MEMBER OF THE COMMITTEE:

8 (1) SHALL BE A MEMBER OF THE GENERAL PUBLIC;

9 (2) MAY NOT PRACTICE OR EVER HAVE PRACTICED PERFUSION
10 OR ANY HEALTH CARE PROFESSION;

11 (3) MAY NOT BE OR EVER HAVE BEEN IN TRAINING TO PRACTICE
12 PERFUSION OR ANY OTHER HEALTH CARE PROFESSION;

13 (4) MAY NOT HAVE A HOUSEHOLD MEMBER WHO IS A HEALTH
14 CARE PROFESSIONAL OR IS IN TRAINING TO BE A HEALTH CARE PROFESSIONAL;
15 AND

16 (5) MAY NOT:

17 (i) PARTICIPATE OR EVER HAVE PARTICIPATED IN A
18 COMMERCIAL OR PROFESSIONAL FIELD RELATED TO PERFUSION;

19 (ii) HAVE A HOUSEHOLD MEMBER WHO PARTICIPATES IN A
20 COMMERCIAL OR PROFESSIONAL FIELD RELATED TO PERFUSION;

21 (iii) HAVE HAD WITHIN 2 YEARS BEFORE APPOINTMENT A
22 FINANCIAL INTEREST IN A PERSON REGULATED BY THE BOARD; OR

23 (iv) HAVE HAD WITHIN 2 YEARS BEFORE APPOINTMENT A
24 FINANCIAL INTEREST IN THE PROVISION OF GOODS OR SERVICES TO
25 PERFUSIONISTS OR TO THE FIELD OF PERFUSION.

26 (c) (1) THE TERM OF A MEMBER IS 3 YEARS.

27 (2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY
28 THE TERMS PROVIDED FOR MEMBERS OF THE COMMITTEE ON OCTOBER 1,
29 ~~2011~~ 2012.

1 **(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE**
 2 **UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

3 **(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN**
 4 **SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS**
 5 **APPOINTED AND QUALIFIES.**

6 **(D) FROM AMONG ITS MEMBERS, THE COMMITTEE SHALL ELECT A**
 7 **CHAIR EVERY 2 YEARS.**

8 **14-5E-07.**

9 **IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS SUBTITLE,**
 10 **THE COMMITTEE SHALL:**

11 **(1) DEVELOP AND RECOMMEND TO THE BOARD:**

12 **(I) REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS**
 13 **SUBTITLE;**

14 **(II) A CODE OF ETHICS FOR THE PRACTICE OF PERFUSION**
 15 **FOR ADOPTION BY THE BOARD;**

16 **(III) RECOMMENDATIONS CONCERNING THE PRACTICE OF**
 17 **PERFUSION, INCLUDING STANDARDS OF CARE FOR THE PRACTICE OF**
 18 **PERFUSION; AND**

19 ~~**(IV) REQUIREMENTS FOR LICENSURE TO PRACTICE**~~
 20 ~~**PERFUSION, INCLUDING:**~~

21 ~~**1. CRITERIA FOR THE EDUCATIONAL AND CLINICAL**~~
 22 ~~**TRAINING OF LICENSED PERFUSIONISTS; AND**~~

23 ~~**2. CRITERIA FOR A PROFESSIONAL COMPETENCY**~~
 24 ~~**EXAMINATION AND TESTING OF APPLICANTS FOR A LICENSE TO PRACTICE**~~
 25 ~~**PERFUSION;**~~

26 ~~**(V) CRITERIA FOR LICENSED PERFUSIONISTS WHO ARE**~~
 27 ~~**LICENSED IN OTHER STATES TO PRACTICE PERFUSION IN THIS STATE;**~~

28 ~~**(VI)**~~ **(IV) CONTINUING EDUCATION REQUIREMENTS FOR**
 29 **LICENSE RENEWAL; AND**

1 ~~(VII) CRITERIA FOR THE DIRECTION OF STUDENTS IN~~
2 ~~CLINICAL EDUCATION PROGRAMS BY LICENSED PERFUSIONISTS AND LICENSED~~
3 ~~PHYSICIANS;~~

4 ~~(2) EVALUATE THE ACCREDITATION STATUS OF EDUCATION~~
5 ~~PROGRAMS IN PERFUSION FOR APPROVAL BY THE BOARD;~~

6 ~~(3) EVALUATE THE CREDENTIALS OF APPLICANTS AND~~
7 ~~RECOMMEND LICENSURE OF APPLICANTS WHO FULFILL THE REQUIREMENTS~~
8 ~~FOR A LICENSE TO PRACTICE PERFUSION;~~

9 ~~(4) (2) KEEP A RECORD OF ITS PROCEEDINGS; AND.~~

10 ~~(5) SUBMIT AN ANNUAL REPORT TO THE BOARD.~~

11 14-5E-08.

12 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, ON OR AFTER
13 OCTOBER 1, ~~2012~~ 2013, AN INDIVIDUAL SHALL BE LICENSED BY THE BOARD
14 BEFORE THE INDIVIDUAL MAY PRACTICE PERFUSION IN THIS STATE.

15 (B) THIS SECTION DOES NOT APPLY TO A STUDENT ENROLLED IN AN
16 EDUCATION PROGRAM UNDER § 14-5E-09(C)(2) OF THIS SUBTITLE WHILE
17 PRACTICING PERFUSION IN THAT PROGRAM.

18 14-5E-09.

19 (A) TO QUALIFY FOR A LICENSE, AN APPLICANT SHALL BE AN
20 INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THIS SECTION.

21 (B) THE APPLICANT SHALL:

22 (1) BE OF GOOD MORAL CHARACTER; AND

23 (2) BE AT LEAST 18 YEARS OLD.

24 (C) AN APPLICANT FOR A LICENSE TO PRACTICE PERFUSION SHALL:

25 (1) (i) SUBMIT TO THE BOARD SATISFACTORY EVIDENCE OF
26 CERTIFICATION AS A CERTIFIED PERFUSIONIST OR OTHER NATIONAL
27 CERTIFICATION APPROVED BY THE BOARD; AND

1 (ii) MEET ANY OTHER EDUCATIONAL OR CLINICAL
2 REQUIREMENTS ESTABLISHED BY THE COMMITTEE AND APPROVED BY THE
3 BOARD; OR

4 (2) (i) SUBMIT TO THE BOARD SATISFACTORY EVIDENCE OF
5 GRADUATION FROM A PERFUSION EDUCATIONAL PROGRAM THAT:

6 ~~1. IS ACCREDITED BY THE COMMITTEE ON~~
7 ~~ALLIED HEALTH EDUCATION AND ACCREDITATION OF THE AMERICAN~~
8 ~~MEDICAL ASSOCIATION ON OR BEFORE JUNE 1, 1991; OR ACCREDITATION OF~~
9 ~~ALLIED HEALTH EDUCATION PROGRAMS, OR THE COMMITTEE'S PREDECESSOR~~
10 ~~OR SUCCESSOR; AND~~

11 ~~2. HAS EDUCATIONAL STANDARDS THAT ARE~~
12 ~~EQUIVALENT TO OR EXCEED THE STANDARDS ESTABLISHED BY THE~~
13 ~~COMMISSION ON ACCREDITATION OF ALLIED HEALTH EDUCATION PROGRAMS~~
14 ~~AS DETERMINED BY THE COMMITTEE; AND~~

15 (ii) MEET ANY OTHER EDUCATIONAL OR CLINICAL
16 REQUIREMENTS ESTABLISHED BY THE COMMITTEE AND APPROVED BY THE
17 BOARD.

18 14-5E-10.

19 AN APPLICANT WHO OTHERWISE QUALIFIES FOR A LICENSE UNDER §
20 14-5E-09(C)(2) OF THIS SUBTITLE IS ENTITLED TO BE LICENSED FOR A SINGLE
21 2-YEAR TERM BEFORE TAKING THE NATIONAL CERTIFYING EXAMINATION
22 GIVEN BY THE AMERICAN BOARD OF CARDIOVASCULAR PERFUSION OR ITS
23 SUCCESSOR ORGANIZATION OR ANOTHER EXAMINATION GIVEN OR APPROVED
24 BY THE BOARD.

25 14-5E-11.

26 (A) TO APPLY FOR A LICENSE, AN APPLICANT SHALL:

27 (1) SUBMIT AN APPLICATION TO THE BOARD ON THE FORM THAT
28 THE BOARD REQUIRES; AND

29 (2) PAY TO THE BOARD THE APPLICATION FEE SET BY THE
30 BOARD.

31 (B) THE BOARD SHALL ISSUE A LICENSE TO AN APPLICANT WHO MEETS
32 THE REQUIREMENTS OF THIS SUBTITLE.

1 **14-5E-12.**

2 **A LICENSE AUTHORIZES AN INDIVIDUAL TO PRACTICE PERFUSION IN THIS**
3 **STATE WHILE THE LICENSE IS EFFECTIVE.**

4 **14-5E-13.**

5 **(A) (1) A LICENSE EXPIRES ON A DATE SET BY THE BOARD, UNLESS**
6 **THE LICENSE IS RENEWED FOR AN ADDITIONAL TERM AS PROVIDED IN THIS**
7 **SECTION.**

8 **(2) A LICENSE MAY NOT BE RENEWED FOR A TERM LONGER THAN**
9 **2 YEARS.**

10 **(B) AT LEAST 1 MONTH BEFORE A LICENSE EXPIRES, THE BOARD SHALL**
11 **SEND TO THE LICENSED PERFUSIONIST A RENEWAL NOTICE THAT STATES:**

12 **(1) THE DATE ON WHICH THE CURRENT LICENSE EXPIRES;**

13 **(2) THE DATE BY WHICH THE RENEWAL APPLICATION MUST BE**
14 **RECEIVED BY THE BOARD FOR THE RENEWAL TO BE ISSUED AND SENT BEFORE**
15 **THE LICENSE EXPIRES;**

16 **(3) THE AMOUNT OF THE RENEWAL FEE; AND**

17 **(4) FOR LICENSEES WHO QUALIFIED FOR AN INITIAL LICENSE**
18 **UNDER § 14-5E-09(C)(2) OF THIS SUBTITLE, THAT THE LICENSEE MUST SUBMIT**
19 **SATISFACTORY EVIDENCE OF A PASSING SCORE ON THE EXAMINATION AS**
20 **REQUIRED UNDER SUBSECTION (C)(2) OF THIS SECTION.**

21 **(C) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, BEFORE**
22 **A LICENSE EXPIRES, THE LICENSED PERFUSIONIST PERIODICALLY MAY RENEW**
23 **IT FOR AN ADDITIONAL TERM, IF THE LICENSEE:**

24 **(I) OTHERWISE IS ENTITLED TO BE LICENSED;**

25 **(II) PAYS TO THE BOARD A RENEWAL FEE SET BY THE**
26 **BOARD; AND**

27 **(III) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
28 **SUBSECTION, SUBMITS TO THE BOARD:**

29 **1. A RENEWAL APPLICATION ON THE FORM THAT**
30 **THE BOARD REQUIRES; AND**

1 **2. SATISFACTORY EVIDENCE OF COMPLIANCE WITH**
2 **ANY CONTINUING EDUCATION OR COMPETENCY REQUIREMENTS AND OTHER**
3 **REQUIREMENTS SET UNDER THIS SECTION FOR LICENSE RENEWAL.**

4 **(2) A LICENSEE WHO QUALIFIED FOR AN INITIAL LICENSE UNDER**
5 **§ 14-5E-09(c)(2) OF THIS SUBTITLE SHALL SUBMIT TO THE BOARD**
6 **SATISFACTORY EVIDENCE OF A PASSING SCORE ON THE NATIONAL CERTIFYING**
7 **EXAMINATION GIVEN BY THE AMERICAN BOARD OF CARDIOVASCULAR**
8 **PERFUSION OR ITS SUCCESSOR ORGANIZATION OR ANOTHER EXAMINATION**
9 **GIVEN OR APPROVED BY THE BOARD.**

10 **(D) IN ADDITION TO ANY OTHER QUALIFICATIONS AND REQUIREMENTS**
11 **ESTABLISHED BY THE BOARD, THE BOARD SHALL ESTABLISH CONTINUING**
12 **EDUCATION OR COMPETENCY REQUIREMENTS AS A CONDITION OF THE**
13 **RENEWAL OF A LICENSE UNDER THIS SECTION.**

14 **(E) (1) THE BOARD SHALL RENEW THE LICENSE OF EACH LICENSEE**
15 **WHO MEETS THE REQUIREMENTS OF THIS SECTION.**

16 **(2) THE BOARD MAY NOT RENEW THE LICENSE OF A LICENSEE**
17 **WHO FAILS TO SUBMIT SATISFACTORY EVIDENCE OF A PASSING SCORE ON THE**
18 **EXAMINATION AS REQUIRED UNDER SUBSECTION (C)(2) OF THIS SECTION.**

19 **(F) THE BOARD SHALL REINSTATE THE LICENSE OF AN INDIVIDUAL**
20 **WHO HAS NOT BEEN PLACED ON INACTIVE STATUS BUT HAS FAILED TO RENEW**
21 **THE LICENSE FOR ANY REASON IF THE INDIVIDUAL:**

22 **(1) APPLIES FOR REINSTATEMENT WITHIN 30 DAYS AFTER THE**
23 **DATE THE LICENSE EXPIRES;**

24 **(2) MEETS THE RENEWAL REQUIREMENTS OF THIS SECTION; AND**

25 **(3) PAYS TO THE BOARD THE REINSTATEMENT FEE SET BY THE**
26 **BOARD.**

27 **14-5E-14.**

28 **(A) (1) A LICENSED PERFUSIONIST SHALL NOTIFY THE BOARD IN**
29 **WRITING OF A CHANGE IN NAME OR ADDRESS WITHIN 60 DAYS AFTER THE**
30 **CHANGE.**

1 (2) A LICENSED PERFUSIONIST WHO FAILS TO COMPLY WITH THE
2 REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION IS SUBJECT TO AN
3 ADMINISTRATIVE PENALTY OF \$100.

4 (B) EACH LICENSED PERFUSIONIST SHALL DISPLAY THE LICENSE
5 CONSPICUOUSLY IN THE OFFICE OR PLACE OF EMPLOYMENT OF THE LICENSEE.

6 ~~14-5E-15.~~

7 ~~(A) (1) THE BOARD SHALL PLACE A LICENSED PERFUSIONIST ON~~
8 ~~INACTIVE STATUS, IF THE LICENSEE SUBMITS TO THE BOARD:~~

9 ~~(I) AN APPLICATION FOR INACTIVE STATUS ON THE FORM~~
10 ~~REQUIRED BY THE BOARD; AND~~

11 ~~(II) THE INACTIVE STATUS FEE SET BY THE BOARD.~~

12 ~~(2) THE BOARD SHALL ISSUE A LICENSE TO AN INDIVIDUAL WHO~~
13 ~~IS ON INACTIVE STATUS IF THE INDIVIDUAL COMPLIES WITH THE RENEWAL~~
14 ~~REQUIREMENTS THAT EXIST AT THE TIME THE INDIVIDUAL CHANGES FROM~~
15 ~~INACTIVE TO ACTIVE STATUS.~~

16 ~~(B) THE BOARD MAY REINSTATE THE LICENSE OF AN INDIVIDUAL WHO~~
17 ~~HAS NOT BEEN PUT ON INACTIVE STATUS, HAS FAILED TO RENEW THE LICENSE~~
18 ~~FOR ANY REASON, AND APPLIES FOR REINSTATEMENT MORE THAN 30 DAYS~~
19 ~~AFTER THE LICENSE HAS EXPIRED, IF THE INDIVIDUAL:~~

20 ~~(1) MEETS THE RENEWAL REQUIREMENTS OF § 14-5E-13 OF~~
21 ~~THIS SUBTITLE;~~

22 ~~(2) PAYS TO THE BOARD THE REINSTATEMENT FEE SET BY THE~~
23 ~~BOARD; AND~~

24 ~~(3) MEETS ANY OTHER REQUIREMENTS ESTABLISHED BY~~
25 ~~REGULATION.~~

26 ~~14-5E-16.~~ 14-5E-15.

27 UNLESS THE BOARD AGREES TO ACCEPT THE SURRENDER OF A LICENSE,
28 A LICENSED PERFUSIONIST MAY NOT SURRENDER THE LICENSE NOR MAY THE
29 LICENSE LAPSE BY OPERATION OF LAW WHILE THE LICENSEE IS UNDER
30 INVESTIGATION OR WHILE CHARGES ARE PENDING AGAINST THE LICENSEE.

31 ~~14-5E-17.~~ 14-5E-16.

1 **(A) SUBJECT TO THE HEARING PROVISIONS OF § 14–405 OF THIS TITLE,**
2 **THE BOARD MAY DENY A LICENSE TO ANY APPLICANT, REPRIMAND ANY**
3 **LICENSEE, PLACE ANY LICENSEE ON PROBATION, OR SUSPEND OR REVOKE A**
4 **LICENSE IF THE APPLICANT OR LICENSEE:**

5 **(1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO**
6 **OBTAIN A LICENSE FOR THE APPLICANT OR LICENSEE OR FOR ANOTHER;**

7 **(2) FRAUDULENTLY OR DECEPTIVELY USES A LICENSE;**

8 **(3) IS GUILTY OF UNPROFESSIONAL OR IMMORAL CONDUCT IN**
9 **THE PRACTICE OF PERFUSION;**

10 **(4) IS PROFESSIONALLY, PHYSICALLY, OR MENTALLY**
11 **INCOMPETENT;**

12 **(5) ABANDONS A PATIENT;**

13 **(6) IS HABITUALLY INTOXICATED;**

14 **(7) IS ADDICTED TO OR HABITUALLY ABUSES ANY NARCOTIC OR**
15 **CONTROLLED DANGEROUS SUBSTANCE AS DEFINED IN § 5–101 OF THE**
16 **CRIMINAL LAW ARTICLE;**

17 **(8) PROVIDES PROFESSIONAL SERVICES WHILE:**

18 **(i) UNDER THE INFLUENCE OF ALCOHOL; OR**

19 **(ii) USING ANY NARCOTIC OR CONTROLLED DANGEROUS**
20 **SUBSTANCE AS DEFINED IN § 5–101 OF THE CRIMINAL LAW ARTICLE OR ANY**
21 **OTHER DRUG THAT IS IN EXCESS OF THERAPEUTIC AMOUNTS OR WITHOUT**
22 **VALID MEDICAL INDICATION;**

23 **(9) PROMOTES THE SALE OF SERVICES, DRUGS, DEVICES,**
24 **APPLIANCES, OR GOODS TO A PATIENT SO AS TO EXPLOIT THE PATIENT FOR**
25 **FINANCIAL GAIN;**

26 **(10) WILLFULLY MAKES OR FILES A FALSE REPORT OR RECORD IN**
27 **THE PRACTICE OF PERFUSION;**

28 **(11) WILLFULLY FAILS TO FILE OR RECORD ANY REPORT AS**
29 **REQUIRED UNDER LAW, WILLFULLY IMPEDES OR OBSTRUCTS THE FILING OR**

1 RECORDING OF A REPORT, OR INDUCES ANOTHER TO FAIL TO FILE OR RECORD
2 A REPORT;

3 (12) BREACHES PATIENT CONFIDENTIALITY;

4 (13) PAYS OR AGREES TO PAY ANY SUM OR PROVIDE ANY FORM OF
5 REMUNERATION OR MATERIAL BENEFIT TO ANY PERSON FOR BRINGING OR
6 REFERRING A PATIENT OR ACCEPTS OR AGREES TO ACCEPT ANY SUM OR ANY
7 FORM OF REMUNERATION OR MATERIAL BENEFIT FROM AN INDIVIDUAL FOR
8 BRINGING OR REFERRING A PATIENT;

9 (14) KNOWINGLY MAKES A MISREPRESENTATION WHILE
10 PRACTICING PERFUSION;

11 (15) KNOWINGLY PRACTICES PERFUSION WITH AN UNAUTHORIZED
12 INDIVIDUAL OR AIDS AN UNAUTHORIZED INDIVIDUAL IN THE PRACTICE OF
13 PERFUSION;

14 (16) KNOWINGLY DELEGATES A PERFUSION DUTY TO AN
15 UNLICENSED INDIVIDUAL;

16 (17) OFFERS, UNDERTAKES, OR AGREES TO CURE OR TREAT
17 DISEASE BY A SECRET METHOD, TREATMENT, OR MEDICINE;

18 (18) IS DISCIPLINED BY A LICENSING OR DISCIPLINARY
19 AUTHORITY OR IS CONVICTED OR DISCIPLINED BY A COURT OF ANY STATE OR
20 COUNTRY OR IS DISCIPLINED BY ANY BRANCH OF THE UNITED STATES
21 UNIFORMED SERVICES OR THE U.S. DEPARTMENT OF VETERANS AFFAIRS FOR
22 AN ACT THAT WOULD BE GROUNDS FOR DISCIPLINARY ACTION UNDER THE
23 BOARD'S DISCIPLINARY STATUTES;

24 (19) FAILS TO MEET APPROPRIATE STANDARDS FOR THE
25 DELIVERY OF PERFUSION SERVICES;

26 (20) KNOWINGLY SUBMITS FALSE STATEMENTS TO COLLECT FEES
27 FOR WHICH SERVICES ARE NOT PROVIDED;

28 (21) (I) HAS BEEN SUBJECT TO INVESTIGATION OR
29 DISCIPLINARY ACTION BY A LICENSING OR DISCIPLINARY AUTHORITY OR BY A
30 COURT OF ANY STATE OR COUNTRY FOR AN ACT THAT WOULD BE GROUNDS FOR
31 DISCIPLINARY ACTION UNDER THE BOARD'S DISCIPLINARY STATUTES; AND

32 (II) HAS:

1 1. **SURRENDERED THE LICENSE, IF ANY, ISSUED BY**
2 **THE STATE OR COUNTRY; OR**

3 2. **ALLOWED THE LICENSE, IF ANY, ISSUED BY THE**
4 **STATE OR COUNTRY TO EXPIRE OR LAPSE;**

5 (22) **KNOWINGLY FAILS TO REPORT SUSPECTED CHILD ABUSE IN**
6 **VIOLATION OF § 5-704 OF THE FAMILY LAW ARTICLE;**

7 (23) **SELLS, PRESCRIBES, GIVES AWAY, OR ADMINISTERS DRUGS**
8 **FOR ILLEGAL OR ILLEGITIMATE MEDICAL PURPOSES;**

9 (24) **PRACTICES OR ATTEMPTS TO PRACTICE BEYOND THE**
10 **AUTHORIZED SCOPE OF PRACTICE;**

11 (25) **IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE**
12 **TO A FELONY OR TO A CRIME INVOLVING MORAL TURPITUDE, WHETHER OR NOT**
13 **ANY APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR**
14 **PLEA SET ASIDE;**

15 (26) **REFUSES, WITHHOLDS FROM, DENIES, OR DISCRIMINATES**
16 **AGAINST AN INDIVIDUAL WITH REGARD TO THE PROVISION OF PROFESSIONAL**
17 **SERVICES FOR WHICH THE LICENSEE IS LICENSED AND QUALIFIED TO RENDER**
18 **BECAUSE THE INDIVIDUAL IS HIV POSITIVE; ~~OR~~**

19 (27) **PRACTICES OR ATTEMPTS TO PRACTICE A PERFUSION**
20 **PROCEDURE OR USES OR ATTEMPTS TO USE PERFUSION EQUIPMENT IF THE**
21 **APPLICANT OR LICENSEE HAS NOT RECEIVED EDUCATION AND TRAINING IN THE**
22 **PERFORMANCE OF THE PROCEDURE OR THE USE OF THE EQUIPMENT; OR**

23 (28) **FAILS TO COOPERATE WITH A LAWFUL INVESTIGATION OF**
24 **THE BOARD.**

25 (b) **EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 2 OF THE**
26 **STATE GOVERNMENT ARTICLE, BEFORE THE BOARD TAKES ANY ACTION UNDER**
27 **SUBSECTION (A) OF THIS SECTION, IT SHALL GIVE THE INDIVIDUAL AGAINST**
28 **WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING**
29 **BEFORE THE BOARD IN ACCORDANCE WITH THE HEARING REQUIREMENTS OF §**
30 **14-405 OF THIS TITLE.**

31 (c) (1) **ON THE FILING OF CERTIFIED DOCKET ENTRIES WITH THE**
32 **BOARD BY THE OFFICE OF THE ATTORNEY GENERAL, THE BOARD SHALL**
33 **ORDER THE SUSPENSION OF A LICENSE IF THE LICENSEE IS CONVICTED OF OR**
34 **PLEADS GUILTY OR NOLO CONTENDERE WITH RESPECT TO A CRIME INVOLVING**

1 MORAL TURPITUDE, WHETHER OR NOT ANY APPEAL OR OTHER PROCEEDING IS
2 PENDING TO HAVE THE CONVICTION OR PLEA SET ASIDE.

3 (2) AFTER COMPLETION OF THE APPELLATE PROCESS IF THE
4 CONVICTION HAS NOT BEEN REVERSED OR THE PLEA HAS NOT BEEN SET ASIDE
5 WITH RESPECT TO A CRIME INVOLVING MORAL TURPITUDE, THE BOARD SHALL
6 ORDER THE REVOCATION OF A LICENSE ON THE CERTIFICATION BY THE OFFICE
7 OF THE ATTORNEY GENERAL.

8 ~~14-5E-18.~~ 14-5E-17.

9 (A) (1) ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE
10 BOARD UNDER THIS SUBTITLE MAY NOT APPEAL TO THE SECRETARY OR BOARD
11 OF REVIEW BUT MAY TAKE A DIRECT JUDICIAL APPEAL.

12 (2) THE APPEAL SHALL BE MADE AS PROVIDED FOR JUDICIAL
13 REVIEW OF FINAL DECISIONS IN TITLE 10, SUBTITLE 2 OF THE STATE
14 GOVERNMENT ARTICLE.

15 (B) AN ORDER OF THE BOARD MAY NOT BE STAYED PENDING REVIEW.

16 (C) THE BOARD MAY APPEAL FROM ANY DECISION THAT REVERSES OR
17 MODIFIES ITS ORDER.

18 ~~14-5E-19.~~ 14-5E-18.

19 (A) EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (D) OF THIS
20 SECTION, HOSPITALS, RELATED INSTITUTIONS, ALTERNATIVE HEALTH SYSTEMS
21 AS DEFINED IN § 1-401 OF THIS ARTICLE, AND EMPLOYERS SHALL FILE WITH
22 THE BOARD A REPORT THAT THE HOSPITAL, RELATED INSTITUTION,
23 ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER LIMITED, REDUCED, OTHERWISE
24 CHANGED, OR TERMINATED ANY LICENSED PERFUSIONIST FOR ANY REASON
25 THAT MIGHT BE GROUNDS FOR DISCIPLINARY ACTION UNDER ~~§ 14-5E-17~~ §
26 14-5E-16 OF THIS SUBTITLE.

27 (B) A HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH
28 SYSTEM, OR EMPLOYER THAT HAS REASON TO KNOW THAT A LICENSED
29 PERFUSIONIST HAS COMMITTED AN ACT OR HAS A CONDITION THAT MIGHT BE
30 GROUNDS FOR REPRIMAND OR PROBATION OF THE LICENSED PERFUSIONIST OR
31 SUSPENSION OR REVOCATION OF THE LICENSE BECAUSE THE LICENSED
32 PERFUSIONIST IS ALCOHOL-IMPAIRED OR DRUG-IMPAIRED IS NOT REQUIRED
33 TO REPORT THE LICENSED PERFUSIONIST TO THE BOARD IF:

1 **(1) THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE**
2 **HEALTH SYSTEM, OR EMPLOYER KNOWS THAT THE LICENSED PERFUSIONIST IS:**

3 **(I) IN AN ALCOHOL OR DRUG TREATMENT PROGRAM THAT**
4 **IS ACCREDITED BY THE JOINT COMMISSION ON ACCREDITATION OF**
5 **HEALTHCARE ORGANIZATIONS OR IS CERTIFIED BY THE DEPARTMENT; OR**

6 **(II) UNDER THE CARE OF A HEALTH CARE PRACTITIONER**
7 **WHO IS COMPETENT AND CAPABLE OF DEALING WITH ALCOHOLISM AND DRUG**
8 **ABUSE; AND**

9 **(2) (I) THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE**
10 **HEALTH SYSTEM, OR EMPLOYER IS ABLE TO VERIFY THAT THE LICENSED**
11 **PERFUSIONIST REMAINS IN THE TREATMENT PROGRAM UNTIL DISCHARGE; AND**

12 **(II) THE ACTION OR CONDITION OF THE LICENSED**
13 **PERFUSIONIST HAS NOT CAUSED INJURY TO ANY PERSON WHILE THE**
14 **PERFUSIONIST IS PRACTICING AS A LICENSED PERFUSIONIST.**

15 **(C) (1) IF THE LICENSED PERFUSIONIST ENTERS, OR IS CONSIDERING**
16 **ENTERING, AN ALCOHOL OR DRUG TREATMENT PROGRAM THAT IS ACCREDITED**
17 **BY THE JOINT COMMISSION ON ACCREDITATION OF HEALTHCARE**
18 **ORGANIZATIONS OR THAT IS CERTIFIED BY THE DEPARTMENT, THE LICENSED**
19 **PERFUSIONIST SHALL NOTIFY THE HOSPITAL, RELATED INSTITUTION,**
20 **ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER OF THE LICENSED**
21 **PERFUSIONIST'S DECISION TO ENTER THE TREATMENT PROGRAM.**

22 **(2) IF THE LICENSED PERFUSIONIST FAILS TO PROVIDE THE**
23 **NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, AND THE**
24 **HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR**
25 **EMPLOYER LEARNS THAT THE LICENSED PERFUSIONIST HAS ENTERED A**
26 **TREATMENT PROGRAM, THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE**
27 **HEALTH SYSTEM, OR EMPLOYER SHALL REPORT TO THE BOARD THAT THE**
28 **LICENSED PERFUSIONIST HAS ENTERED A TREATMENT PROGRAM AND HAS**
29 **FAILED TO PROVIDE THE REQUIRED NOTICE.**

30 **(3) IF THE LICENSED PERFUSIONIST IS FOUND TO BE**
31 **NONCOMPLIANT WITH THE TREATMENT PROGRAM'S POLICIES AND**
32 **PROCEDURES WHILE IN THE TREATMENT PROGRAM, THE TREATMENT**
33 **PROGRAM SHALL NOTIFY THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE**
34 **HEALTH SYSTEM, OR EMPLOYER OF THE LICENSED PERFUSIONIST'S**
35 **NONCOMPLIANCE.**

1 (4) ON RECEIPT OF THE NOTIFICATION REQUIRED UNDER
2 PARAGRAPH (3) OF THIS SUBSECTION, THE HOSPITAL, RELATED INSTITUTION,
3 ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER OF THE LICENSED
4 PERFUSIONIST SHALL REPORT THE LICENSED PERFUSIONIST'S
5 NONCOMPLIANCE TO THE BOARD.

6 (D) A PERSON IS NOT REQUIRED UNDER THIS SECTION TO MAKE ANY
7 REPORT THAT WOULD BE IN VIOLATION OF ANY FEDERAL OR STATE LAW, RULE,
8 OR REGULATION CONCERNING THE CONFIDENTIALITY OF ALCOHOL- AND DRUG
9 ABUSE-RELATED PATIENT RECORDS.

10 (E) THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH
11 SYSTEM, OR EMPLOYER SHALL SUBMIT THE REPORT WITHIN 10 DAYS OF ANY
12 ACTION DESCRIBED IN THIS SECTION.

13 (F) A REPORT MADE UNDER THIS SECTION IS NOT SUBJECT TO
14 SUBPOENA OR DISCOVERY IN ANY CIVIL ACTION OTHER THAN A PROCEEDING
15 ARISING OUT OF A HEARING AND DECISION OF THE BOARD UNDER THIS TITLE.

16 (G) (1) THE BOARD MAY IMPOSE A CIVIL PENALTY OF UP TO \$1,000
17 FOR FAILURE TO REPORT UNDER THIS SECTION.

18 (2) THE BOARD SHALL REMIT ANY PENALTY COLLECTED UNDER
19 THIS SUBSECTION INTO THE GENERAL FUND OF THE STATE.

20 ~~14-5E-20.~~ 14-5E-19.

21 ON THE APPLICATION OF AN INDIVIDUAL WHOSE LICENSE HAS BEEN
22 REVOKED, THE BOARD, ON THE AFFIRMATIVE VOTE OF A MAJORITY OF ITS FULL
23 AUTHORIZED MEMBERSHIP, MAY REINSTATE A REVOKED LICENSE.

24 ~~14-5E-21.~~ 14-5E-20.

25 EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A PERSON MAY NOT
26 PRACTICE, ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE PERFUSION IN THIS
27 STATE UNLESS LICENSED TO PRACTICE PERFUSION BY THE BOARD.

28 ~~14-5E-22.~~ 14-5E-21.

29 (A) UNLESS AUTHORIZED TO PRACTICE PERFUSION UNDER THIS
30 SUBTITLE, A PERSON MAY NOT REPRESENT TO THE PUBLIC BY TITLE, BY
31 DESCRIPTION OF SERVICES, METHODS, OR PROCEDURES, OR OTHERWISE, THAT
32 THE PERSON IS AUTHORIZED TO PRACTICE PERFUSION IN THIS STATE.

1 (B) UNLESS AUTHORIZED TO PRACTICE PERFUSION UNDER THIS
2 SUBTITLE, A PERSON MAY NOT USE THE TITLES “CERTIFIED CLINICAL
3 PERFUSIONIST”, “LICENSED PERFUSIONIST”, OR “LICENSED CLINICAL
4 PERFUSIONIST”, THE ABBREVIATIONS “C.C.P.”, “L.P.”, OR “L.C.P.”, OR ANY
5 OTHER WORDS, LETTERS, OR SYMBOLS WITH THE INTENT TO REPRESENT THAT
6 THE PERSON PRACTICES PERFUSION, HOLDS A CERTIFICATE AS A CERTIFIED
7 CLINICAL PERFUSIONIST ISSUED BY THE AMERICAN BOARD OF
8 CARDIOVASCULAR PERFUSION OR ITS SUCCESSOR ENTITY, OR HOLDS A
9 LICENSE AS A LICENSED PERFUSIONIST ISSUED BY THE BOARD.

10 ~~14-5E-23.~~ 14-5E-22.

11 A PERSON MAY NOT PROVIDE, ATTEMPT TO PROVIDE, OFFER TO PROVIDE,
12 OR REPRESENT THAT THE PERSON PROVIDES PERFUSION SERVICES UNLESS
13 THE PERFUSION IS PROVIDED BY AN INDIVIDUAL WHO IS AUTHORIZED TO
14 PRACTICE PERFUSION UNDER THIS SUBTITLE.

15 ~~14-5E-24.~~ 14-5E-23.

16 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A
17 PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A
18 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING
19 \$1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

20 (B) A PERSON WHO VIOLATES ~~§ 14-5E-21~~ § 14-5E-20 OF THIS
21 SUBTITLE IS SUBJECT TO A CIVIL FINE OF NOT MORE THAN \$5,000 TO BE
22 LEVIED BY THE BOARD.

23 (C) THE BOARD SHALL PAY ANY PENALTY COLLECTED UNDER THIS
24 SECTION INTO THE BOARD OF PHYSICIANS FUND.

25 ~~14-5E-25.~~ 14-5E-24.

26 THIS SUBTITLE MAY BE CITED AS THE MARYLAND PERFUSION ACT.

27 ~~14-5E-26.~~ 14-5E-25.

28 SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF
29 THE MARYLAND PROGRAM EVALUATION ACT AND SUBJECT TO THE
30 TERMINATION OF THIS TITLE UNDER § 14-702 OF THIS TITLE, THIS SUBTITLE
31 AND ALL REGULATIONS ADOPTED UNDER THIS SUBTITLE SHALL TERMINATE
32 AND BE OF NO EFFECT AFTER JULY 1, ~~2013~~ 2022.

1 8-403.

2 (a) On or before December 15 of the 2nd year before the evaluation date of a
3 governmental activity or unit, the Legislative Policy Committee, based on a
4 preliminary evaluation, may waive as unnecessary the evaluation required under this
5 section.

6 (b) Except as otherwise provided in subsection (a) of this section, on or before
7 the evaluation date for the following governmental activities or units, an evaluation
8 shall be made of the following governmental activities or units and the statutes and
9 regulations that relate to the governmental activities or units:

10 (46) PERFUSION ADVISORY COMMITTEE (§ 14-5E-05 OF THE
11 HEALTH OCCUPATIONS ARTICLE: JULY 1, ~~2012~~ 2021);

12 ~~SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland~~
13 ~~read as follows:~~

14 ~~Article — Health Occupations~~

15 ~~14-5E-09.1.~~

16 ~~THE BOARD SHALL WAIVE THE REQUIREMENTS FOR LICENSURE AS A~~
17 ~~LICENSED PERFUSIONIST UNDER § 14-5E-09 OF THIS SUBTITLE FOR ANY~~
18 ~~INDIVIDUAL WHO:~~

19 ~~(1) FILES AN APPLICATION FOR LICENSURE AS A LICENSED~~
20 ~~PERFUSIONIST ON OR BEFORE MARCH 31, 2012;~~

21 ~~(2) PAYS AN APPLICATION FEE SET BY THE BOARD; AND~~

22 ~~(3) HAS OPERATED A CARDIOPULMONARY BYPASS SYSTEM~~
23 ~~DURING CARDIAC SURGICAL CASES IN A LICENSED HEALTH CARE FACILITY AS~~
24 ~~THE INDIVIDUAL'S PRIMARY FUNCTION SINCE 2003.~~

25 SECTION ~~4~~ 3. AND BE IT FURTHER ENACTED, That:

26 (a) (1) Notwithstanding the provisions of § 14-5E-06 of the Health
27 Occupations Article, as enacted by Section 2 of this Act, each initial perfusionist
28 member of the Perfusion Advisory Committee shall apply for and receive a license to
29 practice perfusion within 90 days of the appointment of all initial members of the
30 Perfusion Advisory Committee.

1 (2) If an initial perfusionist member of the Perfusion Advisory
2 Committee fails to apply for and receive a license in accordance with paragraph (1) of
3 this subsection:

4 (i) the term of the initial perfusionist member shall terminate
5 immediately; and

6 (ii) the State Board of Physicians shall appoint a licensed
7 perfusionist to serve the remainder of the term.

8 (b) The terms of the initial members of the Perfusion Advisory Committee
9 shall expire as follows:

10 (1) ~~one member~~ two members in ~~2012~~ 2013;

11 (2) two members in ~~2013~~ 2014; and

12 (3) ~~two~~ three members in ~~2014~~ 2015.

13 SECTION ~~5~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take
14 effect October 1, ~~2011~~ 2012. ~~Section 3 of this Act shall remain effective for a period of 1~~
15 ~~year and, at the end of September 30, 2012, with no further action required by the~~
16 ~~General Assembly, Section 3 of this Act shall be abrogated and of no further force and~~
17 ~~effect.~~

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.