

HB0070/456686/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 70
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “requiring” and substitute “authorizing”; strike beginning with “providing” in line 6 down through “circumstances;” in line 8; in line 9, strike “or testimony”; strike beginning with “providing” in line 10 down through “finding;” in line 13; in line 14, strike “licensees” and substitute “the Board”; and in line 19, after “7-208” insert “and 7-319(h)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 15, inclusive, and substitute:

“(A) THE BOARD MAY REQUIRE AN APPLICANT OR LICENSEE TO SUBMIT TO A MENTAL OR PHYSICAL EXAMINATION BY A HEALTH CARE PRACTITIONER DESIGNATED BY THE BOARD, IF:

(1) WHEN INVESTIGATING AN ALLEGATION BROUGHT AGAINST AN APPLICANT OR LICENSEE UNDER THIS TITLE, THE BOARD FINDS REASONABLE EVIDENCE INDICATING THAT THE APPLICANT OR LICENSEE CANNOT PRACTICE MORTUARY SCIENCE OR FUNERAL DIRECTION COMPETENTLY;

(2) THE BOARD:

(I) MAKES A WRITTEN REQUEST FOR THE APPLICANT OR LICENSEE TO SUBMIT TO THE EXAMINATION;

(Over)

(II) PROVIDES THE APPLICANT OR LICENSEE WITH A LIST OF THREE HEALTH CARE PRACTITIONERS FROM WHICH THE APPLICANT MAY CHOOSE A HEALTH CARE PRACTITIONER TO CONDUCT THE EXAMINATION; AND

(III) PAYS THE COST OF THE EXAMINATION IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION; AND

(3) THE APPLICANT OR LICENSEE:

(I) CONSENTS TO SUBMIT TO THE EXAMINATION; AND

(II) WAIVES ANY CLAIM OR PRIVILEGE AS TO THE EXAMINATION REPORT.”;

in lines 16 and 26, strike “(C)” and “(E)”, respectively, and substitute “(B)” and “(C)”, respectively.

AMENDMENT NO. 3

On page 2, in line 16, strike “A REPORT OR TESTIMONY REGARDING A REPORT” and substitute “AN EVALUATION REPORT”; strike in their entirety lines 20 through 25, inclusive; in line 26, strike “AN” and substitute “(1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN”; in the same line, strike “OR A LICENSEE” and substitute “WHO DOES NOT HOLD A VALID LICENSE WITH THE BOARD”; after line 27, insert:

“(II) IF THE APPLICANT IS DEEMED COMPETENT TO PRACTICE MORTUARY SCIENCE OR FUNERAL DIRECTION AS A RESULT OF THE EVALUATION, THE BOARD SHALL REIMBURSE THE APPLICANT FOR THE REASONABLE COST OF THE EVALUATION THAT WAS PERFORMED.

(2) THE BOARD SHALL PAY THE REASONABLE COST OF AN EXAMINATION MADE UNDER THIS SECTION FOR A LICENSEE OF THE BOARD.

7-319.

(H) IF THE BOARD ORDERS THE SUSPENSION OF A LICENSE IN ACCORDANCE WITH § 10-226(C)(2) OF THE STATE GOVERNMENT ARTICLE, THE BOARD SHALL NOTIFY THE LICENSEE OF THE SUSPENSION WITHIN 48 HOURS AFTER THE BOARD MAKES THE DETERMINATION TO ORDER THE SUSPENSION.”.