

HOUSE BILL 1356

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3lr2121
CF SB 512

By: Delegates Cullison, Barve, Clippinger, Costa, Donoghue, Elliott, Frank, Gutierrez, Hubbard, Hucker, Kach, A. Kelly, Kipke, Krebs, Murphy, Oaks, Pena–Melnyk, Reznik, Stocksdale, and V. Turner

Introduced and read first time: February 11, 2013

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Care Practitioners – Identification Badge**

3 FOR the purpose of requiring that certain health care practitioners, when providing
4 health care to a patient, wear a badge or other form of identification displaying
5 certain information; providing for a certain exception; requiring each health
6 occupation board to adopt certain regulations, including provisions for taking
7 certain administrative action for a certain violation; authorizing the regulations
8 to provide certain exemptions or allow use of a certain name; requiring that
9 certain administrative actions be kept confidential; defining a certain term; and
10 generally relating to display of identification by health care practitioners.

11 BY adding to

12 Article – Health Occupations

13 Section 1–220

14 Annotated Code of Maryland

15 (2009 Replacement Volume and 2012 Supplement)

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

18 **Article – Health Occupations**

19 **1–220.**

20 (A) IN THIS SECTION, “HEALTH CARE PRACTITIONER” MEANS A PERSON
21 WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED UNDER THIS
22 ARTICLE TO PROVIDE HEALTH CARE SERVICES IN THE ORDINARY COURSE OF
23 BUSINESS OR PRACTICE OF A PROFESSION.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) THIS SECTION APPLIES ONLY TO A HEALTH CARE PRACTITIONER**
2 **WHO PRACTICES IN:**

3 **(1) A FREESTANDING AMBULATORY CARE FACILITY;**

4 **(2) A PHYSICIAN'S OFFICE; OR**

5 **(3) AN URGENT CARE FACILITY.**

6 **(C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, WHEN**
7 **PROVIDING HEALTH CARE TO A PATIENT, A HEALTH CARE PRACTITIONER SHALL**
8 **WEAR A BADGE OR OTHER FORM OF IDENTIFICATION DISPLAYING IN READILY**
9 **VISIBLE TYPE:**

10 **(1) THE HEALTH CARE PRACTITIONER'S NAME; AND**

11 **(2) THE TYPE OF LICENSE OF THE HEALTH CARE PRACTITIONER.**

12 **(D) A BADGE OR OTHER FORM OF IDENTIFICATION IS NOT REQUIRED TO**
13 **BE WORN IF:**

14 **(1) THE PATIENT IS BEING SEEN IN THE OFFICE OF A HEALTH**
15 **CARE PRACTITIONER WHO IS A SOLO PRACTITIONER; AND**

16 **(2) THE NAME AND LICENSE OF THE HEALTH CARE**
17 **PRACTITIONER CAN BE READILY DETERMINED BY THE PATIENT FROM A POSTED**
18 **LICENSE OR SIGN IN THE OFFICE.**

19 **(E) (1) EACH HEALTH OCCUPATION BOARD SHALL ADOPT**
20 **REGULATIONS TO IMPLEMENT THIS SECTION.**

21 **(2) THE REGULATIONS SHALL INCLUDE PROVISIONS FOR TAKING**
22 **ADMINISTRATIVE ACTION AGAINST A HEALTH CARE PRACTITIONER WHO**
23 **VIOLATES THIS SECTION AS FOLLOWS:**

24 **(I) FOR A FIRST OFFENSE, ISSUE A WARNING; AND**

25 **(II) FOR A SECOND OR SUBSEQUENT OFFENSE, IMPOSE A**
26 **FINE NOT TO EXCEED \$25 FOR EACH VIOLATION.**

27 **(3) (I) THE REGULATIONS, WHEN NECESSARY FOR THE**
28 **HEALTH CARE PRACTITIONER'S SAFETY OR FOR THERAPEUTIC CONCERNS MAY:**

1 **1. PROVIDE EXEMPTIONS FROM WEARING A BADGE**
2 **OR OTHER FORM OF IDENTIFICATION; OR**

3 **2. ALLOW USE OF THE HEALTH CARE**
4 **PRACTITIONER'S FIRST NAME ONLY.**

5 **(II) THE REGULATIONS SHALL SPECIFY THE RATIONALE**
6 **FOR AND SITUATIONS IN WHICH AN EXEMPTION OR USE OF THE FIRST NAME**
7 **ONLY IS PERMISSIBLE.**

8 **(F) AN ADMINISTRATIVE ACTION TAKEN BY A HEALTH OCCUPATION**
9 **BOARD UNDER THIS SECTION IS CONFIDENTIAL AND MAY NOT BE PUBLICALLY**
10 **REPORTED AS A DISCIPLINARY ACTION.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2013.