

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 402

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and M. Washington” and substitute “M. Washington, Tarrant, Kach, and Pendergrass”; in line 2, after “of” insert “Physicians”; in the same line, strike “Medicine” and substitute “Doctors”; in line 3, strike “State Board of Naturopathic Medicine” and substitute “Naturopathic Medicine Advisory Committee within the State Board of Pharmacy”; in lines 3 and 4, in each instance, strike “specifying” and substitute “providing for”; in lines 4 and 14, in each instance, strike “Board” and substitute “Committee”; strike beginning with “requiring” in line 4 down through “circumstances;” in line 7; in line 7, strike “Board” and substitute “Committee”; in lines 7 and 8, strike “and any other officers”; strike beginning with “requiring” in line 8 down through “committees;” in line 14; strike beginning with “establishing” in line 15 down through “Fund;” in line 25 and substitute “requiring the Board to adopt certain regulations; requiring the Board to set certain fees; requiring the Board to pay the fees to the Comptroller; requiring the Comptroller to distribute the fees of the Board; requiring the fees to be used for a certain purpose;”; and in line 25, strike “Board” and substitute “Committee”.

On page 2, in line 3, after “Board” insert “, complete and submit a certain written attestation;”; strike beginning with “order” in line 5 down through “other” in line 7 and substitute “dispense or order certain”; strike beginning with “specifying” in line 13 down through “circumstances;” in line 14; in lines 23 and 29, in each instance, after “Board” insert “or a disciplinary panel”; strike beginning with “authorizing” in line 26 down through “circumstances;” in line 29; in line 31, after “law;” insert “requiring a disciplinary panel to order the suspension and the revocation of a license under certain circumstances;”; strike beginning with “requiring” in line 38 down through “period;” in line 39; in line 42, after “Board” insert “or a disciplinary panel”; and in line 43, after “circumstances;” insert “prohibiting an order of the Board or a”.

(Over)

disciplinary panel from being stayed pending judicial review; authorizing the Board to make a certain appeal;".

On page 3, in line 1, after "practicing" insert ", attempting to practice, or offering to practice"; in the same line, after "license;" insert "providing for certain penalties;"; strike beginning with "requiring" in line 6 down through "members;" in line 8; in line 9, strike "Board" and substitute "Committee"; strike beginning with "stating" in line 9 down through "circumstances;" in line 11; in line 12, after "circumstances;" insert "providing that the Committee is subject to a certain evaluation in a certain year;"; in line 13, after "State" insert "and the routes of administration that may be used by a naturopathic doctor when administering natural medicines"; in line 17, after "date;" insert "requiring the Board to conduct a certain examination and provide certain information to the Naturopathic Medicine Advisory Board;"; strike beginning with "the" in line 17 down through "and" in line 18; strike in their entirety lines 19 through 29; in line 32, strike "7.5-101 through 7.5-702" and substitute "14-5F-01 through 14-5F-32"; in the same line, strike "title" and substitute "subtitle"; in the same line, strike "Title 7.5." and substitute "Subtitle 5F."; in line 38, strike "8-403(a)" and substitute "8-405(a)"; and in line 41, strike "adding to" and substitute "repealing and reenacting, with amendments.".

On page 4, in line 1, strike "8-403(b)(36)" and substitute "8-405(b)(5)".

AMENDMENT NO. 2

On page 4, strike in their entirety lines 4 through 7, inclusive; in line 8, strike "2. AND BE IT FURTHER ENACTED" and substitute "1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND"; strike in their entirety lines 10 through 17, inclusive; in line 19, strike "**TITLE 7.5.**" and substitute "**SUBTITLE 5F.**"; strike line 20 in its entirety; in line 21, strike "**7.5-101.**" and substitute "**14-5F-01.**"; in line 22, strike "**TITLE**" and substitute "**SUBTITLE**"; and in line 29, after "**OFFERS**" insert "**A 4-YEAR**".

On page 5, in line 8, after "**EDUCATION;**" insert "**OR**".

On pages 5 and 6, strike beginning with “; OR” in line 18 on page 5 down through “PROGRAMS” in line 7 on page 6.

On page 6, strike line 8 in its entirety and substitute:

“(C) “BOARD” MEANS THE STATE BOARD OF PHYSICIANS.

(D) “COMMITTEE” MEANS THE NATUROPATHIC MEDICINE ADVISORY COMMITTEE.”;

in line 9, strike “(D)” and substitute “(E)”; strike in their entirety lines 11 through 14, inclusive; and in line 19, after “USING” insert “ONLY”.

On page 7, in lines 8 and 20, strike “7.5-102.” and “7.5-103.”, respectively, and substitute “14-5F-02.” and “14-5F-03.”, respectively; in lines 9, 12, and 21, in each instance, strike “TITLE” and substitute “SUBTITLE”; and after line 28, insert:

“14-5F-04.

THE BOARD SHALL ADOPT REGULATIONS FOR THE LICENSURE AND PRACTICE OF NATUROPATHIC MEDICINE.

14-5F-05.

(A) (1) THE BOARD SHALL SET REASONABLE FEES FOR THE ISSUANCE AND RENEWAL OF LICENSES AND THE OTHER SERVICES THE BOARD PROVIDES TO NATUROPATHIC DOCTORS.

(2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO APPROXIMATE THE COST OF MAINTAINING THE LICENSURE PROGRAM AND THE OTHER SERVICES PROVIDED TO NATUROPATHIC DOCTORS.

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

(2) THE COMPTROLLER SHALL DISTRIBUTE ALL FEES TO THE BOARD ESTABLISHED UNDER § 14-201 OF THIS TITLE.

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

On pages 7 through 12, strike in their entirety the lines beginning with line 29 on page 7 through line 12 on page 12, inclusive, and substitute:

“14-5F-06.

THERE IS A NATUROPATHIC MEDICINE ADVISORY COMMITTEE WITHIN THE BOARD.

14-5F-07.

(A) (1) THE COMMITTEE CONSISTS OF FIVE MEMBERS APPOINTED BY THE BOARD AS FOLLOWS:

(I) TWO SHALL BE INDIVIDUALS WHO PRACTICE NATUROPATHIC MEDICINE AND WHO:

1. ON OR AFTER OCTOBER 1, 2014:
 - A. ARE CERTIFIED BY THE NORTH AMERICAN BOARD OF NATUROPATHIC EXAMINERS; AND
 - B. HAVE A MINIMUM OF 2 YEARS EXPERIENCE; AND
2. ON OR AFTER MARCH 1, 2016, ARE LICENSED NATUROPATHIC DOCTORS;
 - (II) ONE SHALL BE A PRACTICING LICENSED PHYSICIAN OR PRACTICING DOCTOR OF OSTEOPATHY WHO IS A MEMBER OF THE BOARD;
 - (III) ONE SHALL BE A PRACTICING LICENSED PHYSICIAN OR PRACTICING LICENSED DOCTOR OF OSTEOPATHY WITH EXPERIENCE WORKING WITH NATUROPATHIC DOCTORS; AND
 - (IV) ONE SHALL BE A CONSUMER MEMBER.
- (2) THE BOARD SHALL APPOINT THE NATUROPATHIC DOCTOR MEMBERS FROM A LIST OF NAMES SUBMITTED BY THE MARYLAND ASSOCIATION OF NATUROPATHIC PHYSICIANS.
- (B) EACH NATUROPATHIC DOCTOR MEMBER OF THE COMMITTEE SHALL BE:
 - (1) IN GOOD STANDING WITH THE BOARD; AND

(2) A RESIDENT OF THE STATE WHO HAS BEEN ENGAGED ACTIVELY IN THE PRACTICE OR INSTRUCTION OF NATUROPATHIC MEDICINE FOR AT LEAST 5 YEARS IMMEDIATELY BEFORE APPOINTMENT.

(C) THE PHYSICIAN OR DOCTOR OF OSTEOPATHY MEMBERS OF THE COMMITTEE SHALL BE IN GOOD STANDING WITH THE BOARD.

(D) THE CONSUMER MEMBER OF THE COMMITTEE:

(1) SHALL BE A RESIDENT OF THE STATE AND A MEMBER OF THE GENERAL PUBLIC;

(2) MAY NOT BE OR EVER HAVE BEEN LICENSED TO PRACTICE A HEALTH OCCUPATION UNDER THIS ARTICLE; AND

(3) MAY NOT HAVE A SUBSTANTIAL PERSONAL, BUSINESS, PROFESSIONAL, OR PECUNIARY CONNECTION WITH NATUROPATHIC EDUCATION, BUSINESS, OR PRACTICE.

(E) (1) THE TERM OF A MEMBER IS 4 YEARS.

(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMITTEE ON OCTOBER 1, 2014.

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

(4) A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE FULL TERMS.

(F) FROM AMONG ITS MEMBERS, THE COMMITTEE SHALL ELECT A CHAIR EVERY 2 YEARS.

14-5F-08.

(A) IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS SUBTITLE, THE COMMITTEE SHALL:

(1) DEVELOP AND RECOMMEND TO THE BOARD REGULATIONS TO CARRY OUT THIS SUBTITLE;

(2) DEVELOP AND RECOMMEND TO THE BOARD PROCEDURES FOR THE ISSUANCE OF LICENSES TO APPLICANTS WHO QUALIFY FOR LICENSURE BY RECIPROCITY;

(3) EVALUATE THE CONTENT OF ANY CLINICAL, PRACTICAL, OR RESIDENCY REQUIREMENT FOR LICENSURE;

(4) PROVIDE ANY SERVICE AND PERFORM ANY FUNCTION THAT IS NECESSARY TO FULFILL ITS PURPOSES;

(5) DEVELOP AND RECOMMEND TO THE BOARD EXAMINATION STANDARDS, CONSISTENT WITH THE STANDARDS ENUMERATED IN THIS SUBTITLE, FOR LICENSURE AND TIMES AT WHICH THE EXAMINATIONS WILL BE GIVEN;

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(6) DEVELOP AND RECOMMEND TO THE BOARD A CODE OF ETHICS FOR LICENSED NATUROPATHIC DOCTORS; AND

(7) DEVELOP AND RECOMMEND TO THE BOARD CONTINUING EDUCATION REQUIREMENTS FOR LICENSE RENEWAL.

On page 12, in lines 13 and 19, strike “7.5-207.” and “7.5-301.”, respectively, and substitute “14-5F-09.” and “14-5F-10.”, respectively; in line 16, strike “BOARD” and substitute “COMMITTEE”; strike line 18 in its entirety; in line 20, strike “JANUARY” and substitute “MARCH”; and in line 21, strike “TITLE” and substitute “SUBTITLE”.

On page 13, in line 2, strike the second “OR”; in line 6, after “LITIGATION” insert “; OR”

(4) A NATUROPATHIC DOCTOR LICENSED BY AND RESIDING IN ANOTHER JURISDICTION, IF THE NATUROPATHIC DOCTOR IS ENGAGED IN CONSULTATION WITH THE NATUROPATHIC DOCTOR IN THE STATE ABOUT A PARTICULAR PATIENT AND DOES NOT DIRECT PATIENT CARE;

in lines 10 and 15, strike “7.5-302.” and “§ 7.5-303”, respectively, and substitute “14-5F-11.” and “§ 14-5F-12”, respectively; in line 19, strike “(I)”; in the same line, strike “A” and substitute “THE”; in line 20, after “EXAMINATION” insert “PART I AND PART II”; and strike beginning with “; OR” in line 24 down through “EXAMINATION” in line 28.

On page 14, in lines 6, 23, and 26, strike “7.5-303.”, “7.5-304.”, and “7.5-305.”, respectively, and substitute “14-5F-12.”, “14-5F-13.”, and “14-5F-14.”, respectively; in line 11, strike “AND”; in line 22, after “LICENSE” insert “;”

(4) COMPLETE AND SUBMIT TO THE BOARD A BOARD-APPROVED WRITTEN ATTESTATION THAT:

(i) STATES THAT THE APPLICANT HAS A COLLABORATION AND CONSULTATION AGREEMENT WITH A PHYSICIAN LICENSED UNDER THIS ARTICLE;

(ii) INCLUDES THE NAME AND LICENSE NUMBER OF THE PHYSICIAN WITH WHOM THE APPLICANT HAS A COLLABORATION AND CONSULTATION AGREEMENT;

(iii) STATES THAT THE APPLICANT WILL REFER PATIENTS TO AND CONSULT WITH PHYSICIANS AND OTHER HEALTH CARE PROVIDERS LICENSED OR CERTIFIED UNDER THIS ARTICLE AS NEEDED; AND

(iv) STATES THAT THE APPLICANT WILL REQUIRE PATIENTS TO SIGN A CONSENT FORM THAT STATES THAT THE APPLICANT'S PRACTICE OF NATUROPATHIC MEDICINE IS LIMITED TO THE SCOPE OF PRACTICE IDENTIFIED IN § 14-5F-14 OF THIS SUBTITLE; AND

(5) INFORM THE PHYSICIAN NAMED IN THE ATTESTATION THAT THE PHYSICIAN HAS BEEN NAMED";

and in line 25, strike "TITLE" and substitute "SUBTITLE".

On page 15, in line 6, strike "DISPENSE, ORDER, OR ADMINISTER" and substitute "DISPENSE OR ORDER"; in line 11, strike "USING" and substitute "THAT USE VARIOUS"; after line 13, insert:

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“(4) ADMINISTER NATURAL MEDICINES OF MINERAL, ANIMAL, OR BOTANICAL ORIGIN, INCLUDING FOOD, EXTRACTS OF FOOD, NUTRACEUTICALS, VITAMINS, AMINO ACIDS, MINERALS, ENZYMES, BOTANICALS AND THEIR EXTRACTS, BOTANICAL MEDICINES, HOMEOPATHIC MEDICINES, AND ALL DIETARY SUPPLEMENTS AND NONPRESCRIPTION DRUGS AS DEFINED BY THE FEDERAL FOOD, DRUG, AND COSMETIC ACT USING TRANSDERMAL ROUTES OF ADMINISTRATION;”;

in line 14, strike “(4)” and substitute “(5)”; in lines 15 and 16, strike “COLON HYDROTHERAPY,”; strike in their entirety lines 21 through 26, inclusive; and strike in their entirety lines 31 through 35, inclusive.

On page 16, strike in their entirety lines 1 and 2; in line 3, strike “(C)” and substitute “(B)”; strike beginning with “OTHER” in line 6 down through “TISSUE” in line 9; in line 10, after “DOCTOR” insert “OR PHYSICIAN”; and in line 21, after “CHIROPRACTOR,” insert “OR”.

On pages 16 and 17, strike beginning with “; OR” in line 23 on page 16 through “BOARD” in line 2 on page 17.

On page 17, in lines 3 and 23, strike “7.5-306.” and “7.5-307.”, respectively, and substitute “14-5F-15.” and “14-5F-16.”, respectively; and in line 4, strike “1 YEAR” and substitute “2 YEARS”.

On page 18, in lines 4 and 18, in each instance, strike “TITLE” and substitute “SUBTITLE”; in lines 12, 19, and 29, strike “§ 7.5-306”, “7.5-308.” and “7.5-401.”, respectively, and substitute “§ 14-5F-15”, “14-5F-17.”, and “14-5F-18.”, respectively; and strike line 28 in its entirety.

On page 19, in line 1, before “**SUBJECT**” insert “**(A)**”; strike “**§ 7.5-404**” and substitute “**§ 14-405**”; in the same line, strike “**SUBTITLE**” and substitute “**TITLE**”; strike beginning with the second “**OF**” in line 2 down through “**SERVING**” in line 3 and substitute “**OF A QUORUM OF THE BOARD**”; in line 3, after “**APPLICANT,**” insert “**OR A DISCIPLINARY PANEL, ON THE AFFIRMATIVE VOTE OF A MAJORITY OF A QUORUM OF THE DISCIPLINARY PANEL, MAY**”; strike in their entirety lines 6 through 14, inclusive, and substitute:

“(1) IS HABITUALLY INTOXICATED, OR IS ADDICTED TO OR HABITUALLY ABUSES ANY NARCOTIC OR CONTROLLED DANGEROUS SUBSTANCE, AS DEFINED IN § 5-101 OF THE CRIMINAL LAW ARTICLE, OR ANY DRUG WITHOUT A VALID PRESCRIPTION OR INDICATION, OR PROVIDES PROFESSIONAL SERVICES WHILE UNDER THE INFLUENCE OF ALCOHOL OR USING ANY NARCOTIC OR CONTROLLED DANGEROUS SUBSTANCE, AS DEFINED IN § 5-101 OF THE CRIMINAL LAW ARTICLE;”;

in lines 15, 19, 22, 24, 27, 28, and 30, strike “**(3)**”, “**(4)**”, “**(5)**”, “**(6)**”, “**(7)**”, “**(8)**”, and “**(9)**”, respectively, and substitute “**(2)**”, “**(3)**”, “**(4)**”, “**(5)**”, “**(6)**”, “**(7)**”, and “**(8)**”, respectively; in line 22, strike the second “**OR**” and substitute a comma; in line 23, after “**OBTAIN**” insert “**, OR USES**”; in the same line, after “**LICENSE**” insert “**FOR THE APPLICANT, THE LICENSEE, OR ANOTHER**”; and in line 32, strike “**TITLE**” and substitute “**SUBTITLE**”.

On page 20, in lines 1, 3, 7, 12, 14, and 15, strike “**(10)**”, “**(11)**”, “**(12)**”, “**(13)**”, “**(14)**”, and “**(15)**”, respectively, and substitute “**(9)**”, “**(10)**”, “**(11)**”, “**(12)**”, “**(13)**”, and “**(14)**”, respectively; strike in their entirety lines 17 through 21, inclusive, and substitute:

“(15) ENGAGES IN AN ACT OR OMISSION THAT DOES NOT MEET GENERALLY ACCEPTED STANDARDS OF PRACTICE OF NATUROPATHIC MEDICINE

OR OF SAFE CARE OF PATIENTS, WHETHER OR NOT ACTUAL INJURY TO A PATIENT IS ESTABLISHED;”;

in line 22, strike “(17)” and substitute “(16)”; in line 26, strike “OR” and substitute:

“(17) PROMOTES THE SALE OF SERVICES, DRUGS, DEVICES, APPLIANCES, OR GOODS TO A PATIENT SO AS TO EXPLOIT THE PATIENT FOR FINANCIAL GAIN;

(18) BREACHES PATIENT CONFIDENTIALITY;

(19) IS GUILTY OF UNPROFESSIONAL OR IMMORAL CONDUCT IN THE PRACTICE OF NATUROPATHIC MEDICINE;

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

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

(22) SELLS, PRESCRIBES, GIVES AWAY, OR ADMINISTERS DRUGS FOR ILLEGAL OR ILLEGITIMATE PURPOSES;

(23) DENIES OR DISCRIMINATES AGAINST AN INDIVIDUAL WITH REGARD TO THE PROVISION OF PROFESSIONAL SERVICES FOR WHICH THE LICENSEE IS LICENSED AND QUALIFIED TO RENDER BECAUSE THE INDIVIDUAL IS HIV POSITIVE;

(24) FAILS TO COOPERATE WITH A LAWFUL INVESTIGATION OF THE BOARD;

(25) ABANDONS A PATIENT; OR”;

in line 27, strike “(18)” and substitute “**(26)**”; after line 28, insert:

“(B) EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE BOARD OR A DISCIPLINARY PANEL TAKES ANY ACTION UNDER SUBSECTION (A) OF THIS SECTION, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD OR THE DISCIPLINARY PANEL IN ACCORDANCE WITH THE HEARING REQUIREMENTS OF § 14-405 OF THIS TITLE.

(C) (1) ON THE FILING OF CERTIFIED DOCKET ENTRIES WITH THE BOARD BY THE OFFICE OF THE ATTORNEY GENERAL, A DISCIPLINARY PANEL SHALL ORDER THE SUSPENSION OF A LICENSE IF THE LICENSEE IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE WITH RESPECT TO A CRIME INVOLVING MORAL TURPITUDE, WHETHER OR NOT ANY APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR PLEA SET ASIDE.

(2) AFTER COMPLETION OF THE APPELLATE PROCESS IF THE CONVICTION HAS NOT BEEN REVERSED OR THE PLEA HAS NOT BEEN SET ASIDE WITH RESPECT TO A CRIME INVOLVING MORAL TURPITUDE, A DISCIPLINARY PANEL SHALL ORDER THE REVOCATION OF A LICENSE ON THE CERTIFICATION BY THE OFFICE OF THE ATTORNEY GENERAL.”;

and in line 29, strike “7.5-402.” and substitute “**14-5F-19.**”.

On page 21, in line 3, after “STATE;” insert “AND”; strike beginning with “; AND” in line 4 down through “AGENCY” in line 5; and in line 29, strike “7.5-403.” and substitute “14-5F-20.”.

On page 22, in lines 2 and 3 and 6, in each instance, strike “§ 7.5-401” and substitute “§ 14-5F-18”; in lines 8 and 14, strike “§ 7.5-405” and “7.5-404.”, respectively, and substitute “§ 14-5F-22” and “14-5F-21.”, respectively; strike beginning with “EXCEPT” in line 15 down through “(B)” in line 19; in line 19, strike “THE” and substitute “A”; in lines 21, 23, and 27, strike “(C)”, “(D)”, and “(E)”, respectively, and substitute “(B)”, “(C)”, and “(D)”, respectively; and in line 25, strike “TITLE” and substitute “SUBTITLE”.

On page 23, in lines 1 and 4, strike “(F)” and “(G)”, respectively, and substitute “(E)” and “(F)”, respectively; in lines 4 and 5 and 9, in each instance, strike “§ 7.5-401” and substitute “§ 14-5F-18”; in lines 7 and 21, strike “7.5-405.” and “7.5-406.”, respectively, and substitute “14-5F-22.” and “14-5F-23.”, respectively; in line 8, strike “(1)”; strike in their entirety lines 11 through 16, inclusive; and strike in their entirety lines 22 through 30, inclusive, and substitute:

“(A) (1) ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE BOARD OR A DISCIPLINARY PANEL UNDER THIS SUBTITLE IN A CONTESTED CASE, AS DEFINED IN THE ADMINISTRATIVE PROCEDURE ACT, MAY TAKE A DIRECT JUDICIAL APPEAL.

“(2) THE APPEAL SHALL BE MADE AS PROVIDED FOR JUDICIAL REVIEW OF FINAL DECISIONS IN THE ADMINISTRATIVE PROCEDURE ACT.

“(B) AN ORDER OF THE BOARD OR A DISCIPLINARY PANEL MAY NOT BE STAYED PENDING JUDICIAL REVIEW.

(C) THE BOARD MAY APPEAL FROM ANY DECISION THAT REVERSES OR MODIFIES AN ORDER OF THE BOARD OR A DISCIPLINARY PANEL.

On page 24, strike in their entirety lines 1 and 2; in lines 3, 14, 21, and 27, strike “7.5-407.”, “7.5-408.”, “7.5-501.”, and “7.5-502.”, respectively, and substitute “14-5F-24.”, “14-5F-25.”, “14-5F-26.”, and “14-5F-27.”, respectively; and strike line 20 in its entirety.

AMENDMENT NO. 3

On page 25, in line 11, before “EXCEPT” insert “**(A)**”; in line 12, after “PRACTICE” insert “, **ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE**”; and after line 12, insert:

“(B) AN INDIVIDUAL WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO:

(1) A FINE NOT EXCEEDING \$10,000 OR IMPRISONMENT NOT EXCEEDING 5 YEARS OR BOTH; AND

(2) A CIVIL FINE OF NO MORE THAN \$50,000 TO BE LEVIED BY THE BOARD.

On page 25, in lines 3, 10, 13, 25, and 28, strike “7.5-503.”, “7.5-601.”, “7.5-602.”, “7.5-701.”, and “7.5-702.”, respectively, and substitute “14-5F-28.”, “14-5F-29.”, “14-5F-30.”, “14-5F-31.”, and “14-5F-32.”, respectively; strike line 9 in its entirety; in lines 11 and 26, in each instance, strike “TITLE” and substitute “SUBTITLE”; in line 14, before “UNLESS” insert “**(A)**”; after line 23, insert:

“(B) AN INDIVIDUAL LICENSED TO PRACTICE NATUROPATHIC MEDICINE IN THE STATE MAY NOT USE THE TITLE “PHYSICIAN”.”; and strike line 24 in its entirety.

On page 26, in lines 2 and 3, in each instance, strike “TITLE” and substitute “SUBTITLE”; in line 4, strike “2024” and substitute “2018”; strike in their entirety lines 6 through 16, inclusive, and substitute:

“8-405.

(a) The Department shall:

(1) conduct a full evaluation of each governmental activity or unit to be evaluated under this section; and

(2) prepare a report on each full evaluation conducted.

(b) Each of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units are subject to full evaluation, in the evaluation year specified, without the need for a preliminary evaluation:

(5) Physicians, State Board of (§ 14–201 of the Health Occupations Article: 2016), including:

(i) Athletic Training Advisory Committee (§ 14–5D–04 of the Health Occupations Article: 2016);

(II) NATUROPATHIC MEDICINE ADVISORY COMMITTEE (§ 14-5F-04 OF THE HEALTH OCCUPATIONS ARTICLE: 2016);

[(ii)] (III) Perfusion Advisory Committee (§ 14-5E-05 of the Health Occupations Article: 2016);

[(iii)] (IV) Physician Assistant Advisory Committee (§ 15-201 of the Health Occupations Article: 2016);

[(iv)] (V) Polysomnography Professional Standards Committee (§ 14-5C-05 of the Health Occupations Article: 2016);

[(v)] (VI) Radiation Therapy, Radiography, Nuclear Medicine Technology Advisory, and Radiology Assistance Committee (§ 14-5B-05 of the Health Occupations Article: 2016); and

[(vi)] (VII) Respiratory Care Professional Standards Committee (§ 14-5A-05 of the Health Occupations Article: 2016).”;

in line 17, strike “3.” and substitute “2.”; in line 18, strike “State Board of Naturopathic Medicine” and substitute “Naturopathic Medicine Advisory Committee”; strike in their entirety lines 22 through 30, inclusive; and in line 31, strike “6.” and substitute “3.”.

On page 27, in line 1, after “The” insert “State”; in the same line, strike “Naturopathic Medicine” and substitute “Physicians”; in line 2, after “State” insert “and the routes of administration that may be used by a naturopathic doctor when administering natural medicines”; in line 7, strike “and” and substitute:

“(5) the Department of Health and Mental Hygiene, including one representative from the Maryland Medical Assistance Program;

(6) the Maryland Board of Physicians;

(7) the Maryland Board of Pharmacy; and”;

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in line 8, strike “(5)” and substitute “(8)”; strike beginning with “make” in line 11 down through “(3)” in line 13; in line 15, strike “council will decide which”; in line 16, after “formulary” insert “; and

(3) make recommendations regarding the routes of administration that may be used by a naturopathic doctor when administering natural medicines.

(d) Nothing in this section shall be construed to authorize the establishment of a naturopathic formulary to regulate pharmaceuticals without further action by the General Assembly.”;

in line 17, strike “(d)” and substitute “(e)”; after line 20, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the State Board of Physicians shall examine methods to identify physicians who are willing to collaborate with naturopathic doctors and provide information on the methods to the Naturopathic Medicine Advisory Committee established in Section 1 of this Act.”;

and in line 21, strike “7.” and substitute “5.”.