

SENATE BILL 138

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4lr1045

By: **Senator Conway**

Introduced and read first time: January 10, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

AN ACT concerning

Health Occupations – Board of Physicians – Reinstatement of Licenses

FOR the purpose of requiring the State Board of Physicians to reconsider, under certain circumstances, the suspension or revocation of an individual's license to practice medicine, that is based on a certain ground for discipline relating to disciplinary action by a licensing or disciplinary authority in another state, on request of the individual; and generally relating to the reinstatement of a suspended or revoked license to practice medicine in the State.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–409

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

Article – Health Occupations

14–409.

(a) (1) Except as provided in subsection (b) of this section, a disciplinary panel may reinstate the license of an individual whose license has been suspended or revoked under this title only in accordance with:

(i) The terms and conditions of the order of suspension or revocation;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(ii) An order of reinstatement issued by the disciplinary panel;
or

(iii) A final judgment in any proceeding for review.

(2) If a disciplinary panel reinstates a license under paragraph (1) of this subsection, the disciplinary panel shall notify the Board of the reinstatement.

(b) An individual whose license has been suspended or revoked under this title and who seeks reinstatement shall meet the continuing medical education requirements established for the renewal of licenses as if the individual were licensed during the period of suspension or revocation.

(c) If an order of suspension or revocation is based on § 14-404(b) of this subtitle, and the conviction or plea subsequently is overturned at any stage of an appeal or other postconviction proceeding, the suspension or revocation ends when the conviction or plea is overturned.

(D) IF AN ORDER OF SUSPENSION OR REVOCATION OF AN INDIVIDUAL'S LICENSE IS BASED ON § 14-404(A)(21) OF THIS SUBTITLE, AND THE LICENSING OR DISCIPLINARY AUTHORITY OF THE STATE THAT DISCIPLINED THE INDIVIDUAL REINSTATES THE INDIVIDUAL'S LICENSE, THE BOARD, ON REQUEST OF THE INDIVIDUAL WHO SEEKS REINSTATEMENT IN THIS STATE, SHALL RECONSIDER THE SUSPENSION OR REVOCATION OF THE INDIVIDUAL'S LICENSE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.