

HOUSE BILL 185

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By: **Delegates Morhaim, Beitzel, Cluster, Frush, Hill, Jalisi, Kelly, Kipke, Lam, Morgan, Rose, Stein, and West**

Introduced and read first time: January 21, 2016

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Physicians – Licensed Physicians – Continuing Education**
3 **Requirements**

4 FOR the purpose of prohibiting the State Board of Physicians from establishing a
5 continuing education requirement that every licensed physician complete a specific
6 course or program as a condition to the renewal of a license; and generally relating
7 to continuing education requirements for licensed physicians in the State.

8 BY repealing and reenacting, without amendments,
9 Article – Health Occupations
10 Section 14–316(a), (b), (c), and (e)
11 Annotated Code of Maryland
12 (2014 Replacement Volume and 2015 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Health Occupations
15 Section 14–316(d)
16 Annotated Code of Maryland
17 (2014 Replacement Volume and 2015 Supplement)

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

20 **Article – Health Occupations**

21 14–316.

22 (a) (1) The Board shall provide for the term and renewal of licenses under this
23 section.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) The term of a license may not be more than 3 years.

2 (3) A license expires at the end of its term, unless the license is renewed
3 for a term as provided by the Board.

4 (b) (1) Subject to paragraph (2) of this subsection, at least 1 month before the
5 license expires, the Board shall send to the licensee, by electronic or first-class mail to the
6 last known electronic or physical address of the licensee:

7 (i) A renewal notice that states:

8 1. The date on which the current license expires;

9 2. The date by which the renewal application must be
10 received by the Board for the renewal to be issued and mailed before the license expires;
11 and

12 3. The amount of the renewal fee; and

13 (ii) A blank panel data sheet supplied by the Health Care
14 Alternative Dispute Resolution Office.

15 (2) If the Board chooses to send renewal notices exclusively by electronic
16 mail under paragraph (1) of this subsection, the Board shall send a renewal notice by
17 first-class mail to a licensee on request of the licensee.

18 (c) Before the license expires, the licensee periodically may renew it for an
19 additional term, if the licensee:

20 (1) Otherwise is entitled to be licensed;

21 (2) Pays to the Board a renewal fee set by the Board; and

22 (3) Submits to the Board:

23 (i) A renewal application on the form that the Board requires; and

24 (ii) Satisfactory evidence of compliance with any continuing
25 education requirements set under this section for license renewal.

26 (d) (1) In addition to any other qualifications and requirements established by
27 the Board, the Board may establish continuing education requirements as a condition to
28 the renewal of licenses under this section.

29 (2) In establishing these requirements, the Board shall evaluate existing
30 methods, devices, and programs in use among the various medical specialties and other
31 recognized medical groups.

1 (3) The Board shall adopt regulations that allow a licensee seeking renewal
2 to receive up to 5 continuing education credits per renewal period for providing
3 uncompensated, voluntary medical services during each renewal period.

4 (4) The Board may not establish or enforce these requirements if they
5 would so reduce the number of physicians in a community as to jeopardize the availability
6 of adequate medical care in that community.

7 **(5) THE BOARD MAY NOT ESTABLISH A CONTINUING EDUCATION**
8 **REQUIREMENT THAT EVERY LICENSEE COMPLETE A SPECIFIC COURSE OR PROGRAM**
9 **AS A CONDITION TO THE RENEWAL OF A LICENSE UNDER THIS SECTION.**

10 **[(5)] (6)** The Board may impose a civil penalty of up to \$100 per
11 continuing medical education credit in lieu of a sanction under § 14-404 of this title, for a
12 first offense, for the failure of a licensee to obtain the continuing medical education credits
13 required by the Board.

14 (e) The Board shall renew the license of each licensee who meets the
15 requirements of this section.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2016.