

Chapter 94

(House Bill 119)

AN ACT concerning

State Board of Physicians – Licensing Exemption – Physicians With Traveling Athletic and Sports Teams

FOR the purpose of authorizing certain physicians, under certain circumstances, to practice medicine in the State without a license issued by the State Board of Physicians and without submitting to a criminal history records check while providing medical care to an athletic team's or a sports team's members, band members, cheerleading squad, mascot, coaches, and other staff; and generally relating to a licensing exemption for physicians with traveling athletic and sports teams.

BY repealing and reenacting, with amendments,
 Article – Health Occupations
 Section 14–302
 Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

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

Article – Health Occupations

14–302.

(A) Subject to the rules, regulations, and orders of the Board, the following individuals may practice medicine without a license if the individuals submit to a criminal history records check in accordance with § 14–308.1 of this subtitle:

(1) A medical student or an individual in a postgraduate medical training program that is approved by the Board, while doing the assigned duties at any office of a licensed physician, hospital, clinic, or similar facility;

(2) A physician licensed by and residing in another jurisdiction, if the physician:

(i) Is engaged in consultation with a physician licensed in the State about a particular patient and does not direct patient care; or

(ii) Meets the requirements of § 14–302.1 of this subtitle;

(3) A physician employed in the service of the federal government while performing the duties incident to that employment;

(4) A physician who resides in and is authorized to practice medicine by any state adjoining this State and whose practice extends into this State, if:

(i) The physician does not have an office or other regularly appointed place in this State to meet patients; and

(ii) The same privileges are extended to licensed physicians of this State by the adjoining state; and

(5) An individual while under the supervision of a licensed physician who has specialty training in psychiatry, and whose specialty training in psychiatry has been approved by the Board, if the individual submits an application to the Board on or before October 1, 1993, and either:

(i) 1. Has a master's degree from an accredited college or university; and

2. Has completed a graduate program accepted by the Board in a behavioral science that includes 1,000 hours of supervised clinical psychotherapy experience; or

(ii) 1. Has a baccalaureate degree from an accredited college or university; and

2. Has 4,000 hours of supervised clinical experience that is approved by the Board.

(B) A PHYSICIAN LICENSED BY AND RESIDING IN ANOTHER JURISDICTION MAY PRACTICE MEDICINE WITHOUT A LICENSE AND WITHOUT SUBMITTING TO A CRIMINAL HISTORY RECORDS CHECK IF THE PHYSICIAN:

(1) HAS AN ACTIVE, UNRESTRICTED LICENSE TO PRACTICE MEDICINE IN THE JURISDICTION WHERE THE PHYSICIAN REGULARLY ENGAGES IN THE PRACTICE OF MEDICINE;

(2) IS EMPLOYED BY OR HAS A WRITTEN AGREEMENT WITH AN ATHLETIC TEAM OR A SPORTS TEAM BASED OUTSIDE THE STATE;

(3) IS DESIGNATED AS THE TEAM PHYSICIAN BY THE ATHLETIC OR SPORTS TEAM TO PROVIDE MEDICAL CARE TO THE TEAM'S MEMBERS, BAND MEMBERS, CHEERLEADING SQUAD, MASCOT, COACHES, AND OTHER STAFF WHO TRAVEL TO A SPECIFIED SPORTING EVENT TAKING PLACE IN THE STATE;

(4) WHILE IN THE STATE, PROVIDES MEDICAL CARE ONLY TO INDIVIDUALS LISTED IN ITEM (3) OF THIS SUBSECTION;

(5) DOES NOT PROVIDE MEDICAL CARE IN THE STATE FOR MORE THAN 45 DAYS IN A CALENDAR YEAR; AND

(6) DOES NOT ENGAGE IN THE PRACTICE OF MEDICINE AT A HOSPITAL, RELATED INSTITUTION, OR OTHER HEALTH CARE FACILITY, INCLUDING AN ACUTE CARE FACILITY, LOCATED WITHIN THE STATE.

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

Approved by the Governor, April 12, 2016.