

**SB0195/366686/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 195  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “Publication” and substitute “Verification, Publication, and Notification Requirements”; in line 17, after “requiring” insert “a certain physician to provide the State Board of Physicians with certain verification or documentation within a certain number of days after the physician receives a certain request from the Board; requiring”; in line 18, strike “State”; in the same line, strike “of Physicians”; in the same line, after “include” insert “certain”; in the same line, after “information” insert “as”; in line 19, strike “by the licensee”; in the same line, after “Board” insert “, including information”; in line 20, after “insurance;” insert “requiring certain licensees practicing medicine in the State to notify patients in writing of certain information relating to medical professional liability insurance coverage; requiring the notification to be provided at certain visits and as part of certain informed consents and signed by a patient at certain times; requiring a licensee to retain the notification as part of certain records and, under certain circumstances, to post certain information in a certain location at the licensee’s place of practice; requiring the Board to develop certain language for a certain required notification;”; strike beginning with “the” in line 20 down through “information” in line 21 and substitute “physicians and liability coverage”; and after line 21, insert:

“BY adding to

Article - Health Occupations

Section 14-312.1 and 14-508

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 7, after line 6, insert:

(Over)

“14-312.1.

ON REQUEST OF THE BOARD, A PHYSICIAN WHO REPORTS TO THE BOARD THAT THE PHYSICIAN MAINTAINS MEDICAL PROFESSIONAL LIABILITY INSURANCE FOR PURPOSES OF THE PUBLIC INDIVIDUAL PROFILE MAINTAINED BY THE BOARD UNDER § 14-411.1(B) OF THIS TITLE SHALL PROVIDE THE BOARD WITH VERIFICATION OR OTHER DOCUMENTATION THAT THE PHYSICIAN MAINTAINS THE INSURANCE WITHIN 25 BUSINESS DAYS AFTER THE PHYSICIAN RECEIVES A REQUEST FROM THE BOARD.”;

in line 10, strike “Medical” and substitute “AS REPORTED TO THE BOARD BY THE LICENSEE,”; in line 19, strike “as reported to the Board under § 14-413 of this subtitle”; strike beginning with “AS” in line 24 down through “BOARD” in line 25; after line 25, insert:

“14-508.

(A) EACH LICENSEE PRACTICING MEDICINE IN THE STATE SHALL NOTIFY A PATIENT IN WRITING IF:

(1) THE LICENSEE DOES NOT MAINTAIN MEDICAL PROFESSIONAL LIABILITY INSURANCE COVERAGE; OR

(2) THE LICENSEE’S MEDICAL PROFESSIONAL LIABILITY INSURANCE COVERAGE HAS LAPSED FOR ANY PERIOD OF TIME AND THE LICENSEE’S COVERAGE HAS NOT BEEN RENEWED.

(B) THE WRITTEN NOTIFICATION PROVIDED TO THE PATIENT UNDER SUBSECTION (A) OF THIS SECTION MUST BE:

**(1) PROVIDED:**

**(I) AT THE FIRST VISIT BY THE PATIENT DURING ANY PERIOD IN WHICH THE LICENSEE DOES NOT MAINTAIN MEDICAL PROFESSIONAL LIABILITY INSURANCE, UNLESS THE VISIT IS FOR THE PURPOSE OF RECEIVING INCIDENTAL MEDICAL CARE THAT WILL BE RENDERED FREE OF CHARGE; AND**

**(II) AS PART OF EACH INFORMED CONSENT OBTAINED BEFORE ANY PROCEDURE OR OPERATION DISCUSSED OR OFFERED FOR THE PATIENT'S CONSIDERATION IS PERFORMED;**

**(2) SIGNED BY THE PATIENT AT THE TIME OF THE PATIENT'S VISIT OR THE INFORMED CONSENT IS SIGNED; AND**

**(3) RETAINED BY THE LICENSEE AS PART OF THE LICENSEE'S PATIENT RECORDS.**

**(C) EACH LICENSEE PRACTICING MEDICINE IN THE STATE WHO DOES NOT MAINTAIN MEDICAL PROFESSIONAL LIABILITY INSURANCE COVERAGE SHALL POST THIS INFORMATION IN A CONSPICUOUS LOCATION IN THE LICENSEE'S PLACE OF PRACTICE.**

**SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Physicians shall develop appropriate language for the notification required under § 14-508 of the Health Occupations Article as enacted by Section 1 of this Act.**”;

and in line 26, strike “2.” and substitute “3.”.