

HOUSE BILL 364

J2, J1

0lr1813

By: **Delegates Saab and Cullison**

Introduced and read first time: January 22, 2020

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Hospital and Nursing Facility Workers and Health Care Practitioners**
3 **– Identification Tags and Badges – Name Requirement**

4 FOR the purpose of specifying the form of name required to be indicated on the personal
5 identification tag required to be worn by a certain employee or other individual who
6 provides certain services in a hospital or nursing facility; specifying the form of
7 names required to be displayed on the badge or other form of identification required
8 to be worn by a health care practitioner when providing certain care to a patient in
9 certain facilities; making a conforming change; and generally relating to
10 identification tags and badges of hospital and nursing facility workers and health
11 care practitioners.

12 BY repealing and reenacting, with amendments,
13 Article – Health – General
14 Section 19–308.4
15 Annotated Code of Maryland
16 (2019 Replacement Volume)

17 BY repealing and reenacting, with amendments,
18 Article – Health Occupations
19 Section 1–221
20 Annotated Code of Maryland
21 (2014 Replacement Volume and 2019 Supplement)

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

24 **Article – Health – General**

25 19–308.4.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) Each hospital or nursing facility in the State shall ensure that its employees
2 and any other individuals who provide a health care service within or on the premises of
3 the hospital or nursing facility wear a personal identification tag, except where
4 inappropriate for medical reasons, that indicates in readable text:

5 (1) The **FIRST NAME, NICKNAME, LAST NAME, OR FULL** name of the
6 individual **THAT IS COMMONLY USED IN THE HOSPITAL OR NURSING FACILITY**; and

7 (2) The professional or other title of the individual.

8 (b) The Secretary may impose a fine not to exceed \$25 per violation of this section.

9 Article – Health Occupations

10 1–221.

11 (a) In this section, “health care practitioner” means a person who is licensed,
12 certified, or otherwise authorized under this article to provide health care services in the
13 ordinary course of business or practice of a profession.

14 (b) This section applies only to a health care practitioner who practices in:

15 (1) A freestanding ambulatory care facility;

16 (2) A physician’s office; or

17 (3) An urgent care facility.

18 (c) Except as provided in subsection (d) of this section, when providing health
19 care to a patient, a health care practitioner shall wear a badge or other form of identification
20 displaying in readily visible type:

21 (1) The health care practitioner’s **FIRST NAME, NICKNAME, LAST NAME,**
22 **OR FULL** name **THAT IS COMMONLY USED IN THE OFFICE OR FACILITY**; and

23 (2) The type of license of the health care practitioner.

24 (d) A badge or other form of identification is not required to be worn if:

25 (1) (i) The patient is being seen in the office of a health care practitioner
26 who is a solo practitioner; and

27 (ii) The name and license of the health care practitioner can be
28 readily determined by the patient from a posted license or sign in the office; or

29 (2) The patient is being seen in:

1 (i) An operating room or other setting where surgical or other
2 invasive procedures are performed; or

3 (ii) Any other setting where maintaining a sterile environment is
4 medically necessary.

5 (e) (1) Each health occupations board may adopt regulations to implement this
6 section.

7 (2) The regulations, when necessary for the patient or health care
8 practitioner's safety or for therapeutic concerns may[:

9 (i) Provide] **PROVIDE** exemptions from wearing a badge or other
10 form of identification[; or

11 (ii) Allow use of the health care practitioner's first name only].

12 (3) A violation may be reported to the health occupations board that
13 licensed or certified the health care practitioner.

14 (4) In response to a reported violation, a health occupations board may
15 send an advisory letter or a letter of education to the health care practitioner.

16 (f) An advisory letter or letter of education sent by a health occupations board
17 under this section is confidential and may not be publicly reported as a disciplinary action.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2020.