

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	05/06/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. **Desired date of publication in Maryland Register: 6/10/2016**

2. **COMAR Codification**

Title Subtitle Chapter Regulation

10 32 01 04

3. **Name of Promulgating Authority**

Department of Health and Mental Hygiene

4. Name of Regulations Coordinator Telephone Number
Michele Phinney 410-767-5623

Mailing Address

201 W. Preston Street

City State Zip Code
Baltimore MD 21201

Email
michele.phinney@maryland.gov

5. Name of Person to Call About this Document Telephone No.
Mark Woodard 410-764-2460

Email Address
mark.woodard@maryland.gov

6. Check applicable items:

- New Regulations
- Amendments to Existing Regulations
Date when existing text was downloaded from COMAR online: March 4, 2016.
- Repeal of Existing Regulations
- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval
- Reproposal of Substantively Different Text:
:
Md. R
(vol.) (issue) (page nos) (date)
Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

- Yes No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Stacey Darin, Assistant Attorney General, (telephone #410-767-5036) on April 29, 2016. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Van T. Mitchell

Title

Secretary

Telephone No.

410-767-6500

Date

May 6, 2016

Title 10
DEPARTMENT OF HEALTH AND MENTAL HYGIENE
Subtitle 32 BOARD OF PHYSICIANS

10.32.01 General Licensure Regulations

Authority: Health Occupations Article, §14-301 and 14-307, Annotated Code of Maryland

Notice of Proposed Action

[]

The Secretary of Health and Mental Hygiene proposes to amend Regulation .04 under COMAR 10.32.01 General Licensure Regulations.

This action was considered at a public meeting on March, 30, 2016, notice of which was provided by posting on the Board's website at

<http://www.mbp.state.md.us/forms/mar16fullagenda.pdf> from March 16, 2016 through March 30, 2016, pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to amend the verification of medical records provision that allows an authorized official, rather than only a program director, to verify an applicant's accredited training programs and permit verification sent by electronic statements.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499; TTY:800-735-2258, or email to

dhmmh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through July 11, 2016. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2017

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly: There is no economic impact on any group noted under Part A resulting from this regulatory revision since it is an amendment to a Board regulation regarding the verification of medical records.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

See E.

G. Small Business Worksheet:

Attached Document:

Title 10

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 32 BOARD OF PHYSICIANS

10.32.01 General Licensure Regulations

Authority: Health Occupations Article, §14-301 and 14-307, Annotated Code of Maryland

10.32.01.04 (March 4, 2016)

.04 Licensure — Documentation for Initial Licensure.

A. (text unchanged)

B. Complete Application.

(1) A complete application for initial licensure shall include, but is not limited to, proof of the following through documentation on forms supplied by the Board:

(a) (text unchanged)

(b) Written *and electronic* statements from [the program directors] *an authorized official* of each of the applicant's accredited training programs which:

- (i) [Summarize] *Summarizes* the experience and performance of the applicant during training;
- (ii) [Detail] *Details* all actions taken against the applicant by any training program, hospital, medical board, licensing authority, or court for an act that would be grounds for disciplinary action under Health Occupations Article, §14-404, Annotated Code of Maryland;
- (iii) [Document] *Documents* specifically whether or not the applicant successfully completed the years of training;
- (iv) [Detail] *Details* any limitations of privileges during the postgraduate training years; and
- (v) [Detail] *Details* any physical and mental health problems of the applicant that affected the applicant's ability to practice during the years of postgraduate training;
- (c) (text unchanged)
- (2)—(5) (text unchanged)
- C.—J. (text unchanged)

VAN T. MITCHELL

Secretary of Health and Mental Hygiene