

HOUSE BILL 757

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EMERGENCY BILL

4lr2790

By: ~~Delegate R. Lewis~~ Delegates R. Lewis, Alston, Bagnall, Bhandari, Chisholm, Cullison, Hill, Hutchinson, S. Johnson, Kaiser, Kerr, Kipke, Lopez, Martinez, M. Morgan, Pena-Melnyk, Reilly, Rosenberg, Szeliga, Taveras, White Holland, and Woods

Introduced and read first time: January 31, 2024

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2024

CHAPTER _____

1 AN ACT concerning

2 **State Board of Physicians – Supervised Medical Graduates and Cardiovascular**
3 **Invasive Specialists**
4 **(Bridge to Medical Residency Act)**

5 FOR the purpose of authorizing a supervised medical graduate to provide delegated duties
6 under direct supervision in accordance with regulations adopted by the State Board
7 of Physicians; prohibiting an individual from practicing as a supervised medical
8 graduate for more than a certain period of time; repealing the termination of certain
9 provisions of law relating to delegation of duties by licensed physicians to
10 cardiovascular invasive specialists; and generally relating to the delegation of duties
11 by licensed physicians.

12 BY repealing and reenacting, with amendments,
13 Article – Health Occupations
14 Section 14–306
15 Annotated Code of Maryland
16 (2021 Replacement Volume and 2023 Supplement)

17 BY repealing and reenacting, with amendments,
18 Chapter 445 of the Acts of the General Assembly of 2019
19 Section 4

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Health Occupations**

4 14–306.

5 (a) To the extent permitted by the rules, regulations, and orders of the Board, an
6 individual to whom duties are delegated by a licensed physician may perform those duties
7 without a license as provided in this section.

8 (b) The individuals to whom duties may be delegated under this section include
9 any individual authorized to practice any other health occupation regulated under this
10 article or § 13–516 of the Education Article.

11 (c) The Board shall adopt rules and regulations to delineate the scope of this
12 section. Before it adopts any rule or regulation under this section, the Board shall invite
13 and consider proposals from any individual or health group that could be affected by the
14 rule or regulation.

15 (d) (1) If a duty that is to be delegated under this section is a part of the
16 practice of a health occupation that is regulated under this article by another board, any
17 rule or regulation concerning that duty shall be adopted jointly by the Board of Physicians
18 and the board that regulates the other health occupation.

19 (2) If the two boards cannot agree on a proposed rule or regulation, the
20 proposal shall be submitted to the Secretary for a final decision.

21 (e) Except as otherwise provided in this section, an individual may perform
22 X–ray duties without a license only if the duties:

23 (1) Do not include:

24 (i) Computerized or noncomputerized tomography;

25 (ii) Fluoroscopy;

26 (iii) Invasive radiology;

27 (iv) Mammography;

28 (v) Nuclear medicine;

29 (vi) Radiation therapy; or

30 (vii) Xerography;

- 1 (2) Are limited to X-ray procedures of the:
- 2 (i) Chest, anterior-posterior and lateral;
- 3 (ii) Spine, anterior-posterior and lateral; or
- 4 (iii) Extremities, anterior-posterior and lateral, not including the
5 head; and
- 6 (3) Are performed:
- 7 (i) By an individual who is not employed primarily to perform
8 X-ray duties;
- 9 (ii) In the medical office of the physician who delegates the duties;
10 and
- 11 (iii) 1. By an individual who, before October 1, 2002, has:
- 12 A. Taken a course consisting of at least 30 hours of training
13 in performing X-ray procedures approved by the Maryland Radiological Society in
14 consultation with the Maryland Society of Radiologic Technologists; and
- 15 B. Successfully passed an examination based on that course
16 that has been approved by the Maryland Radiological Society in consultation with the
17 Maryland Society of Radiologic Technologists; or
- 18 2. By a licensed physician assistant who has completed a
19 course that includes anterior-posterior and lateral radiographic studies of extremities on
20 at least 20 separate patients under the direct supervision of the delegating physician or
21 radiologist using a mini C-arm or similar low-level radiation machine to perform
22 nonfluoroscopic X-ray procedures, if the duties:
- 23 A. Include only the X-ray procedures described in paragraph
24 (2)(iii) of this subsection; and
- 25 B. Are performed pursuant to a Board-approved delegation
26 agreement that includes a request to perform advanced duties under § 15-302(c)(2) of this
27 article.
- 28 (f) (1) In accordance with regulations adopted by the Board, a licensed
29 physician may delegate duties to a registered cardiovascular invasive specialist assisting
30 in the physician's performance of fluoroscopy if:
- 31 (i) The delegated duties are limited to a cardiac catheterization
32 procedure performed in a hospital cardiac catheterization laboratory;

1 (ii) The physician is physically present and personally directs each
2 act performed by the registered cardiovascular invasive specialist;

3 (iii) The registered cardiovascular invasive specialist has completed
4 the training and education and has the experience required by regulations adopted by the
5 Board; and

6 (iv) The hospital in which the cardiac catheterization laboratory is
7 located has verified and documented that the registered cardiovascular invasive specialist
8 has completed the training and education and has the experience required by regulations
9 adopted by the Board.

10 (2) The hospital in which the cardiac catheterization laboratory is located
11 and the physician delegating duties to a registered cardiovascular invasive specialist under
12 this subsection are responsible for ensuring that all requirements of this subsection are
13 met for each procedure.

14 (3) A disciplinary panel may impose a civil penalty of up to \$5,000 for each
15 instance of a hospital's failure to comply with the requirements of this subsection.

16 (G) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE
17 MEANINGS INDICATED.

18 (II) "DIRECT SUPERVISION" MEANS OVERSIGHT EXERCISED BY
19 A DELEGATING PHYSICIAN WHO IS:

20 1. PERSONALLY TREATING THE PATIENT; ~~AND~~

21 2. IN THE PRESENCE OF SAME MEDICAL OFFICE AS THE
22 PATIENT AND THE SUPERVISED MEDICAL GRADUATE; AND

23 3. IMMEDIATELY AVAILABLE TO PROVIDE ASSISTANCE
24 AND GUIDANCE TO THE SUPERVISED MEDICAL GRADUATE FOR THE DURATION OF
25 THE COMPLETION OF A DELEGATED DUTY.

26 (III) "SUPERVISED MEDICAL GRADUATE" MEANS AN INDIVIDUAL
27 WHO:

28 1. HAS A DEGREE OF:

29 A. DOCTOR OF MEDICINE FROM A MEDICAL SCHOOL
30 THAT IS ACCREDITED BY AN ACCREDITING ORGANIZATION THAT THE BOARD
31 RECOGNIZES IN ITS REGULATIONS; OR

1 **B. DOCTOR OF OSTEOPATHY FROM A SCHOOL OF**
2 **OSTEOPATHY IN THE UNITED STATES, ITS TERRITORIES OR POSSESSIONS, PUERTO**
3 **RICO, OR CANADA THAT HAS STANDARDS FOR GRADUATION EQUIVALENT TO THOSE**
4 **ESTABLISHED BY THE AMERICAN OSTEOPATHIC ASSOCIATION; AND**

5 **2. HAS PASSED PARTS 1 AND 2 OF THE UNITED STATES**
6 **MEDICAL LICENSING EXAMINATION.**

7 **(2) ~~IN~~ SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION AND IN**
8 **ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD, A SUPERVISED**
9 **MEDICAL GRADUATE MAY PERFORM DELEGATED DUTIES UNDER DIRECT**
10 **SUPERVISION.**

11 **(3) AN INDIVIDUAL MAY NOT PRACTICE AS A SUPERVISED MEDICAL**
12 **GRADUATE FOR A PERIOD OF MORE THAN 2 YEARS.**

13 **(4) FOR THE PURPOSES OF THIS SUBSECTION, A DELEGATING**
14 **PHYSICIAN IS NOT REQUIRED TO BE IN THE PRESENCE OF A PATIENT AND A**
15 **SUPERVISED MEDICAL GRADUATE DURING THE COMPLETION OF A DELEGATED**
16 **DUTY.**

17 **Chapter 445 of the Acts of 2019**

18 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2019. [It shall remain effective for a period of 5 years and, at the end of
20 September 30, 2024, this Act, with no further action required by the General Assembly,
21 shall be abrogated and of no further force and effect.]

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
23 measure, is necessary for the immediate preservation of the public health or safety, has
24 been passed by a ye and nay vote supported by three-fifths of all the members elected to
25 each of the two Houses of the General Assembly, and shall take effect from the date it is
26 enacted.