
By: Chairman, Environmental Matters Committee (Departmental - Health and Mental Hygiene)

Introduced and read first time: February 2, 1996

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Board of Physician Quality Assurance**

3 FOR the purpose of updating certain licensing requirements; permitting the Maryland
4 Board of Physician Quality Assurance to share certain investigative material with
5 other states under certain circumstances; requiring health systems to report
6 contracting, employment, or discipline of a physician; authorizing the Board to issue
7 nonpublic advisory opinions under certain circumstances; deleting certain license
8 requirements for osteopathy; restricting practice changes; prohibiting certain acts;
9 authorizing the Board to investigate complaints without written and signed
10 complaints; requiring the Board to establish certain examination requirements in
11 certain regulations; granting the Board discretionary authority to release certain
12 information; and generally relating to the Board of Physician Quality Assurance.

13 BY repealing and reenacting, with amendments,
14 Article - Courts and Judicial Proceedings
15 Section 10-205(b)
16 Annotated Code of Maryland
17 (1995 Replacement Volume and 1995 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article - Health Occupations
20 Section 14-205(a), 14-310, 14-321, 14-404, 14-405(a), 14-409, 14-411(e)(3) and
21 (h), 14-413(a), 14-414, and 14-501(a)
22 Annotated Code of Maryland
23 (1994 Replacement Volume and 1995 Supplement)

24 BY repealing
25 Article - Health Occupations
26 Section 14-311 and 14-312
27 Annotated Code of Maryland
28 (1994 Replacement Volume and 1995 Supplement)

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

2

1 **Article - Courts and Judicial Proceedings**

2 10-205.

3 (b) Records, reports, statements, notes, or information assembled or obtained by
4 the State Department of Health and Mental Hygiene, the Maryland Commission to Study
5 Problems of Drug Addiction, the Medical and Chirurgical Faculty or its allied medical
6 societies, the Maryland Institute for Emergency Medical Services Systems, an in-hospital
7 staff committee, or a national organized medical society or research group that are
8 declared confidential by § 4-102 of the Health - General Article or [§ 14-602] § 14-503
9 of the Health Occupations Article, are not admissible in evidence in any proceeding.

10 **Article - Health Occupations**

11 14-205.

12 (a) (1) In addition to the powers set forth elsewhere in this title, the Board may:

13 (i) Adopt rules and regulations to:

14 1. Carry out the provisions of this title; or

15 2. Regulate the performance of acupuncture, but only to the
16 extent authorized by § 14-506 of this title;

17 (ii) After consulting with the State Board of Pharmacy, adopt rules
18 and regulations regarding the dispensing of prescription drugs by a licensed physician;

19 (iii) Subject to the Administrative Procedure Act, deny a license to an
20 applicant or refuse to renew or reinstate an applicant's license for any of the reasons that
21 are grounds for action under § 14-404 of this title;

22 (iv) On receipt of a written and signed complaint, including a referral
23 from the Commissioner of Labor and Industry, conduct an unannounced inspection of the
24 office of a physician or acupuncturist, other than an office of a physician or acupuncturist
25 in a hospital, related institution, freestanding medical facility, or freestanding birthing
26 center, to determine compliance at that office with the Centers for Disease Control's
27 guidelines on universal precautions; and

28 (v) Contract with others for the purchase of administrative and
29 examination services to carry out the provisions of this title.

30 (2) The Board on receipt of a [written and signed] complaint OR BY THE
31 BOARD'S OWN MOTION may investigate an alleged violation of this title.

32 14-310.

33 (a) [(1) An applicant who otherwise qualifies for a license under this title is
34 entitled to be examined as provided in this section.

35 (2) The Board may establish standards for examining qualified medical
36 students before they complete the education requirements of this subtitle.

37 (3) The Board may establish standards and qualifications for individuals not
38 seeking a license to sit for an examination.

3

1 (b)] The Board shall give examinations to applicants at least once a year, at the
2 times and places that the Board determines.

3 (B) THE BOARD SHALL ACCEPT THE FOLLOWING EXAMINATIONS FOR
4 LICENSURE PROVIDED THE APPLICANT ACHIEVES A PASSING SCORE AS SET BY THE
5 BOARD IN ITS RULES AND REGULATIONS:

6 (1) UNITED STATES MEDICAL LICENSING EXAMINATIONS;

7 (2) THE NATIONAL BOARD OF MEDICAL EXAMINERS EXAMINATION;

8 (3) THE NATIONAL BOARD OF EXAMINERS FOR OSTEOPATHIC
9 PHYSICIANS AND SURGEONS EXAMINATIONS;

10 (4) FEDERATION LICENSING (FLEX) EXAMINATION;

11 (5) THE BOARD OF MEDICAL EXAMINERS OF ANOTHER STATE OR THE
12 DISTRICT OF COLUMBIA EXAMINATION; OR

13 (6) MEDICAL COUNCIL OF CANADA QUALIFYING EXAMINATION.

14 (c) The Board shall notify each qualified applicant of the time and place of
15 examination.

16 (d) The Board shall determine the subjects, scope, form, and passingscore for
17 examinations given under this subtitle.

18 (E) THE BOARD SHALL ESTABLISH ANY OTHER QUALIFICATIONS FOR
19 EXAMINATIONS OF MEDICAL SCHOOL GRADUATES IN ITS REGULATIONS.

20 [14-311.

21 (a) Subject to the provisions of this section, the Board shall waivethe examination
22 requirements of this subtitle for an applicant who:

23 (1) Attains on the federation licensing examination or the United States
24 Medical Licensing Examination a passing score as set by the Board underits rules and
25 regulations; or

26 (2) Holds a certificate of proficiency and professional standing of:

27 (i) The National Board of Medical Examiners;

28 (ii) The board of medical examiners of another state; or

29 (iii) The National Board of Examiners for Osteopathic Physicians and
30 Surgeons, if the certificate is issued after January 1, 1971.

31 (b) The Board may grant a waiver under this section only if:

32 (1) The applicant pays the application fee required by the Board under §
33 14-309 of this subtitle; and

34 (2) The applicant provides adequate evidence that the applicantmeets the
35 qualifications otherwise required by this title.]

4

1 [14-312.

2 (a) In this section, "approved school of osteopathy" means a school of osteopathy
3 that is approved by the American Osteopathic Association.

4 (b) Subject to the provisions of this section, the Board shall waive the examination
5 requirements of this subtitle for an applicant who is licensed to practice osteopathy.

6 (c) If the applicant is licensed to practice osteopathy in this State under § 14-321
7 of this subtitle, the Board may grant a waiver under this section only if the applicant:

8 (1) Submits the application fee required by the Board under § 14-309 of this
9 subtitle; and

10 (2) Provides adequate evidence that the applicant:

11 (i) Meets the qualifications otherwise required by this title; and

12 (ii) 1. Practiced osteopathy and resided in this State on June 1,
13 1967;

14 2. Graduated in or after 1940 from an approved school of
15 osteopathy; or

16 3. Graduated before 1940 from an approved school of
17 osteopathy and completed a refresher education course approved by the Board.

18 (d) If the applicant is licensed as a doctor of osteopathy to practice medicine in
19 another state, the Board may grant a waiver under this section only if:

20 (1) The applicant submits the application fee set by the Board under §
21 14-309 of this subtitle;

22 (2) The applicant provides adequate evidence that the applicant:

23 (i) Meets the qualifications otherwise required by this title;

24 (ii) Graduated after January 1, 1960 from an approved school of
25 osteopathy; and

26 (iii) Became licensed in the other state after passing in that state an
27 examination for the practice of medicine given by the appropriate authority in the other
28 state to graduates of approved medical schools; and

29 (3) The other state waives the examination of licensees of this State to a
30 similar extent as this State waives the examination of individuals licensed in that state.]

31 14-321.

32 (a) (1) In this section, the following words have the meanings indicated.

33 (2) "Practice osteopathy" means to treat a disease or ailment of the human
34 body by manipulation.

35 (3) "Restricted license" means a license issued by the Board to practice
36 osteopathy.

5

1 [(b) The Board shall issue a restricted license only to an applicant who:

2 (1) Was licensed to practice osteopathy in this State or in another state on
3 June 30, 1980;

4 (2) Is licensed to practice osteopathy in this State or in another state on the
5 date that the application for a restricted license is submitted to the Board;

6 (3) Submits an application to the Board on the form that the Board
7 requires;

8 (4) Pays to the Board the restricted license fee set by the Board; and

9 (5) Meets any other requirement set by the Board.]

10 [(c)] (B) A restricted license authorizes the license holder to practice osteopathy
11 while the restricted license is effective.

12 [(d)] (C) The term and renewal of a restricted license shall be as provided for a
13 license under § 14-316 of this subtitle.

14 [(e)] (D) Subject to the requirements of the Administrative Procedure Act, the
15 Board on the affirmative vote of its full authorized membership, may reprimand a
16 restricted license holder, may place any restricted license holder on probation, or suspend
17 or revoke a restricted license for any of the grounds for Board action under § 14-404 of
18 this title.

19 14-404.

20 (a) Subject to the hearing provisions of § 14-405 of this subtitle, the Board, on the
21 affirmative vote of a majority of its full authorized membership, may reprimand any
22 licensee, place any licensee on probation, or suspend or revoke a license if the licensee:

23 (1) Fraudulently or deceptively obtains or attempts to obtain a license for
24 the applicant or licensee or for another;

25 (2) Fraudulently or deceptively uses a license;

26 (3) Is guilty of immoral or unprofessional conduct in the practice of
27 medicine;

28 (4) Is professionally, physically, or mentally incompetent;

29 (5) Solicits or advertises in violation of § 14-505 of this title;

30 (6) Abandons a patient;

31 (7) Habitually is intoxicated;

32 (8) Is addicted to, or habitually abuses, any narcotic or controlled dangerous
33 substance as defined in Article 27 of the Code;

34 (9) Provides professional services:

35 (i) While under the influence of alcohol; or

6

1 (ii) While using any narcotic or controlled dangerous substance, as
2 defined in Article 27 of the Code, or other drug that is in excess of therapeutic amounts
3 or without valid medical indication;

4 (10) Promotes the sale of drugs, devices, appliances, or goods to a patient so
5 as to exploit the patient for financial gain;

6 (11) Willfully makes or files a false report or record in the practice of
7 medicine;

8 (12) Willfully fails to file or record any medical report as required under law,
9 willfully impedes or obstructs the filing or recording of the report, or induces another to
10 fail to file or record the report;

11 (13) On proper request, fails to provide details of a patient's medical record
12 to another physician, [or] hospital, OR THE PATIENT;

13 (14) Solicits professional patronage through an agent or other person or
14 profits from the acts of a person who is represented as an agent of the physician;

15 (15) Pays or agrees to pay any sum to any person for bringing or referring a
16 patient or accepts or agrees to accept any sum from any person for bringing or referring
17 a patient;

18 (16) Agrees with a clinical or bioanalytical laboratory to make payments to
19 the laboratory for a test or test series for a patient, unless the licensed physician discloses
20 on the bill to the patient or third-party payor:

21 (i) The name of the laboratory;

22 (ii) The amount paid to the laboratory for the test or test series; and

23 (iii) The amount of procurement or processing charge of the licensed
24 physician, if any, for each specimen taken;

25 (17) Makes a willful misrepresentation in treatment;

26 (18) Practices medicine with an unauthorized person or aids an unauthorized
27 person in the practice of medicine;

28 (19) Grossly overutilizes health care services;

29 (20) Offers, undertakes, or agrees to cure or treat disease by a secret method,
30 treatment, or medicine;

31 (21) Is disciplined by a licensing or disciplinary authority or convicted or
32 disciplined by a court of any state or country or disciplined by any branch of the United
33 States uniformed services or the Veterans' Administration for an act that would be
34 grounds for disciplinary action under this section;

35 (22) Fails to meet appropriate standards as determined by appropriate peer
36 review for the delivery of quality medical and surgical care performed in an outpatient
37 surgical facility, office, hospital, or any other location in this State;

7

1 (23) Willfully submits false statements to collect fees for which services are
2 not provided;

3 (24) Was subject to investigation or disciplinary action by a licensing or
4 disciplinary authority or by a court of any state or country for an act that would be
5 grounds for disciplinary action under this section and the licensee:

6 (i) Surrendered the license issued by the state or country to the state
7 or country; or

8 (ii) Allowed the license issued by the state or country to expire or
9 lapse;

10 (25) Knowingly fails to report suspected child abuse in violation of § 5-704 of
11 the Family Law Article;

12 (26) Fails to educate a patient being treated for breast cancer of alternative
13 methods of treatment as required by § 20-113 of the Health - General Article;

14 (27) Sells, prescribes, gives away, or administers drugs for illegal or
15 illegitimate medical purposes;

16 (28) Fails to comply with the provisions of § 12-102 of this article;

17 (29) Refuses, withholds from, denies, or discriminates against an individual
18 with regard to the provision of professional services for which the licensee is licensed and
19 qualified to render because the individual is HIV positive;

20 (30) Except as to an association that has remained in continuous existence
21 since July 1, 1963:

22 (i) Associates with a pharmacist as a partner or co-owner of a
23 pharmacy for the purpose of operating a pharmacy;

24 (ii) Employs a pharmacist for the purpose of operating a pharmacy; or

25 (iii) Contracts with a pharmacist for the purpose of operating a
26 pharmacy;

27 (31) Except in an emergency life-threatening situation where it is not feasible
28 or practicable, fails to comply with the Centers for Disease Control's guidelines on
29 universal precautions;

30 (32) Fails to display the notice required under § 14-415 of this title;

31 (33) Fails to cooperate IN ANY MANNER with a lawful investigation
32 conducted by the Board; [or]

33 [(34) Is in breach of a service obligation resulting from the applicant's or
34 licensee's receipt of State or federal funding for the licensee's medical education]

35 (34) INTIMIDATES OR INFLUENCES, OR ATTEMPTS TO INTIMIDATE OR
36 INFLUENCE, BY ANY MEANS, ANY PERSON TO WITHHOLD OR CHANGE TESTIMONY

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1 IN HEARINGS OR PROCEEDINGS BEFORE THE BOARD OR THOSE OTHERWISE
2 DELEGATED TO THE OFFICE OF ADMINISTRATIVE HEARINGS;

3 (35) HINDERS, PREVENTS, OR DELAYS ANY PERSON FROM MAKING
4 INFORMATION AVAILABLE TO THE BOARD IN FURTHERANCE OF ITS
5 INVESTIGATION;

6 (36) FAILS TO COMPLY WITH THE PROVISIONS OF TITLE 1, SUBTITLE 3 OF
7 THIS ARTICLE; OR

8 (37) MISREPRESENTS CREDENTIALS FOR THE PURPOSE OF TESTIFYING
9 OR RENDERING AN EXPERT OPINION.

10 (b) (1) On the filing of certified docket entries with the Board by the Office of
11 the Attorney General, the Board shall order the suspension of a license if the licensee is
12 convicted of or pleads guilty or nolo contendere with respect to a crime involving moral
13 turpitude, whether or not any appeal or other proceeding is pending to have the
14 conviction or plea set aside.

15 (2) After completion of the appellate process if the conviction has not been
16 reversed or the plea has not been set aside with respect to a crime involving moral
17 turpitude, the Board shall order the revocation of a license on the certification by the
18 Office of the Attorney General.

19 (C) ON AN AFFIRMATIVE VOTE OF THE MAJORITY OF ITS FULL AUTHORIZED
20 MEMBERSHIP THE BOARD MAY ISSUE ADVISORY OPINIONS WHEN:

21 (1) THE BOARD HAS DETERMINED THAT THE LICENSEE SHOULD
22 MODIFY OR ELIMINATE CERTAIN PRACTICES AND THAT CONTINUATION OF THE
23 ACTIVITIES THAT LED TO THE INFORMATION BEING SUBMITTED TO THE BOARD
24 MAY RESULT IN ACTION AGAINST THE LICENSEE'S LICENSE; BUT

25 (2) THE BOARD DETERMINES THAT THERE IS NOT SUFFICIENT
26 EVIDENCE TO REPRIMAND THE LICENSEE, PLACE THE LICENSEE ON PROBATION, OR
27 SUSPEND OR REVOKE THE LICENSE.

28 14-405.

29 (a) Except as otherwise provided in the Administrative Procedure Act, before the
30 Board takes any action under § 14-404(A) of this subtitle or § 14-303 or § 14-305 of this
31 title, it shall give the individual against whom the action is contemplated an opportunity
32 for a hearing before a hearing officer.

33 14-409.

34 (a) Except as provided in [subsections (b) and (c)] SUBSECTION (B) of this
35 section, the Board may reinstate the license of an individual whose license has been
36 suspended or revoked under this title only in accordance with:

37 (1) The terms and conditions of the order of suspension or revocation;

38 (2) An order of reinstatement issued by the Board; or

39 (3) A final judgment in any proceeding for review.

9

1 (b) An individual whose license has been suspended or revoked under this title
2 and who seeks reinstatement shall meet the continuing medical education requirements
3 established for the renewal of licenses as if the individual were licensed during the period
4 of suspension or revocation.

5 [(c) (1) If an order of suspension or revocation is based on § 14-404(b) of this
6 subtitle, and the conviction or plea subsequently is overturned at any stage of an appeal
7 or other postconviction proceeding, the suspension or revocation ends when the
8 conviction or plea is overturned.

9 (2) After the appellate process is completed:

10 (i) The clerk of the court issuing the final disposition of the case shall
11 notify the Board of that disposition; and

12 (ii) If the conviction or plea is upheld after completion of the appellate
13 process, the Board may not take any further action against the physician unless it gives
14 the physician an opportunity for another hearing, to be held within 60 days after the
15 Board receives notice of the completion of the appellate process.]

16 14-411.

17 (E) (3) The Board shall, after formal action is taken pursuant to § 14-406 of this
18 subtitle, notify those hospitals, health maintenance organizations, or health care facilities
19 where the physician has privileges, has a provider contract with a health maintenance
20 organization, or is employed of its formal action within 10 days after the action is taken
21 and [shall] MAY provide the hospital, health maintenance organization, or health care
22 facility with periodic reports as to enforcement or monitoring of a formal disciplinary
23 order against a physician [within 10 days after receipt of those reports].

24 (h) The Board may disclose any information contained in a record to a licensing
25 or disciplinary authority of another state if:

26 (1) The licensing or disciplinary authority of another state that regulates
27 licensed physicians in that state requests the information in writing; and

28 (2) [The disclosure of any information is limited to the pendency of an
29 allegation of a ground for disciplinary or other action by the Board until:

30 (i) The Board has passed an order under § 14-406 of this subtitle; or

31 (ii) A licensed physician on whom the information is requested
32 authorizes a disclosure as to the facts of an allegation or the results of an investigation
33 before the Board.] THAT STATE'S LICENSING OR DISCIPLINARY BOARD RELEASES
34 ANY INFORMATION CONTAINED IN THE RECORD TO OTHER LICENSING OR
35 DISCIPLINARY BOARDS UPON WRITTEN REQUEST.

36 14-413.

37 (a) (1) Every 6 months, each hospital and related institution shall file with the
38 Board a report that:

10

1 (i) Contains the name of each licensed physician OR INDIVIDUAL IN
2 A POST GRADUATE TRAINING PROGRAM who, during the 6 months preceding the
3 report:

- 4 1. Is employed by the hospital or related institution;
- 5 2. Has privileges with the hospital or related institution; [and]
- 6 3. Has applied for privileges with the hospital or related
7 institution; and
- 8 4. HAS SERVED IN A POST GRADUATE TRAINING PROGRAM;
- 9 AND

10 (ii) States whether, as to each licensed physician, during the 6 months
11 preceding the report:

12 1. The hospital or related institution denied the application of a
13 physician for staff privileges or limited, reduced, otherwise changed, or terminated the
14 staff privileges of a physician, or the physician resigned whether or not under formal
15 accusation, if the denial, limitation, reduction, change, termination, or resignation is for
16 reasons that might be grounds for disciplinary action under § 14-404 of this subtitle;

17 2. The hospital or related institution took any disciplinary
18 action against a salaried, licensed physician without staff privileges, including termination
19 of employment, suspension, or probation, for reasons that might be grounds for
20 disciplinary action under § 14-404 of this subtitle;

21 3. The hospital or related institution took any disciplinary
22 action against an individual in a postgraduate medical training program, including
23 removal from the training program, suspension, or probation for reasons that might be
24 grounds for disciplinary action under § 14-404 of this subtitle;

25 4. A licensed physician or an individual in a postgraduate
26 training program voluntarily resigned from the staff, employ, or training program of the
27 hospital or related institution for reasons that might be grounds for disciplinary action
28 under § 14-404 of this subtitle; or

29 5. The hospital or related institution placed any other
30 restrictions or conditions on any of the licensed physicians as listed in items 1. through 4.
31 of this subparagraph for any reasons that might be grounds for disciplinary action under
32 § 14-404 of this subtitle.

33 (2) The hospital or related institution shall:

34 (i) Submit the report within 10 days of any action described in
35 paragraph (1)(ii) of this subsection; and

36 (ii) State in the report the reasons for its action or the nature of the
37 formal accusation pending when the physician resigned.

38 (3) The Board may extend the reporting time under this subsection for good
39 cause shown.

11

1 (4) The minutes or notes taken in the course of determining the denial,
2 limitation, reduction, or termination of the staff privileges of any physician in a hospital
3 or related institution are not subject to review or discovery by any person.

4 14-414.

5 (a) (1) Every 6 months, each alternative health system as defined in § 14-501 of
6 this title shall file with the Board a report that:

7 (i) Contains the name of each licensed physician who, during the 6
8 months preceding the report:

- 9 1. Is employed by the alternative health system;
- 10 2. Is under contract with the alternative health system; and
- 11 3. Has completed a formal application process to become under
12 contract with the alternative health system; and

13 (ii) States whether, as to each licensed physician, during the 6 months
14 preceding the report:

15 1. The alternative health system denied the formal application
16 of a physician to contract with the alternative health system or limited, reduced, otherwise
17 changed, or terminated the contract of a physician, or the physician resigned whether or
18 not under formal accusation, if the denial, limitation, reduction, change, termination, or
19 resignation is for reasons that might be grounds for disciplinary action under § 14-404 of
20 this subtitle; or

21 2. The alternative health system placed any other restrictions or
22 conditions on any licensed physician for any reasons that might be grounds for
23 disciplinary action under § 14-404 of this subtitle.

24 (2) [The] IF THE ALTERNATIVE HEALTH SYSTEM TAKES ANY ACTION
25 DESCRIBED IN PARAGRAPH (1)(II) OF THIS SUBSECTION, THE alternative health system
26 shall:

27 (i) Submit the report within 10 days of any action described in
28 paragraph (1)(ii) of this subsection; and

29 (ii) State in the report the reasons for its action or the nature of the
30 formal accusation pending when the physician resigned.

31 (3) The Board may extend the reporting time under this subsection for good
32 cause shown.

33 (4) The minutes or notes taken in the course of determining the denial,
34 limitation, reduction, or termination of the employment contract of any physician in an
35 alternative health system are not subject to review or discovery by any person.

36 (b) (1) Each court shall report to the Board each conviction of or entry of a plea
37 of guilty or nolo contendere by a physician for any crime involving moral turpitude.

12

1 (2) The court shall submit the report within 10 days of the conviction or
2 entry of the plea.

3 (c) The Board may enforce this section by subpoena.

4 (d) Any person shall have the immunity from liability described under § 5-392(d)
5 of the Courts and Judicial Proceedings Article for giving any of the information required
6 by this section.

7 (e) A report made under this section is not subject to subpoena or discovery in
8 any civil action other than a proceeding arising out of a hearing and decision of the Board
9 under this title.

10 (f) Failure to report pursuant to the requirements of this section shall result in
11 imposition of a civil penalty of up to [~~\$5,000~~]~~\$10,000~~ by a circuit court of this State.

12 14-501.

13 (a) (1) In this section the following words have the meanings indicated.

14 (2) (i) "Alternative health care system" means a system of health care
15 delivery other than a hospital or related institution.

16 (ii) "Alternative health care system" includes BUT IS NOT LIMITED
17 TO:

- 18 1. A health maintenance organization;
- 19 2. A preferred provider organization;
- 20 3. An independent practice association; or
- 21 4. A community health center that is a nonprofit, freestanding
22 ambulatory health care provider governed by a voluntary board of directors and that
23 provides primary health care services to the medically indigent.

24 (3) "Medical review committee" means a committee or board that:

25 (i) Is within one of the categories described in subsection (b) of this
26 section; and

27 (ii) Performs any of the functions listed in subsection (c) of this
28 section.

29 (4) (i) "Provider of health care" means any person who is licensed by law
30 to provide health care to individuals.

31 (ii) "Provider of health care" does not include any nursing institution
32 that is conducted by and for those who rely on treatment by spiritual means through
33 prayer alone in accordance with the tenets and practices of a recognized church or
34 religious denomination.

35 (5) "The Maryland Institute for Emergency Medical Services Systems"
36 means the State agency described in § 13-1D-03 of the Education Article.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1996.