

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 527

(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, in line 4, strike “authorizing” and substitute “requiring”; in the same line, after “to” insert “refer a certain allegation to a certain committee and request a certain investigation and report; authorizing the State Board to”; in line 8, after the scored semicolon, insert “prohibiting the State Board from carrying out certain disciplinary actions unless certain conditions have been met;”; after line 11, insert:

“BY repealing and reenacting, without amendments,

Article - Health Occupations

Section 14-401(a)

Annotated Code of Maryland

(1994 Replacement Volume and 1996 Supplement)”;

and in line 19, strike “14-404(a)(37)” and substitute “14-401(c)(5) and 14-404(a)(37) and (c)”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“14-401.

(a) The Board shall perform any necessary preliminary investigation before the Board refers to an investigatory body an allegation of grounds for disciplinary or other action brought to its attention.

(c) (5) AFTER PERFORMING ANY NECESSARY PRELIMINARY INVESTIGATION OF AN ALLEGATION OF GROUNDS FOR DISCIPLINARY OR OTHER ACTION, THE BOARD SHALL REFER ANY ALLEGATION BASED ON § 14-404(A)(37) OF THIS SUBTITLE TO A

(Over)

COMMITTEE OF FIVE PHYSICIANS WHO SERVE AS MEDICAL DIRECTORS FOR ORGANIZATIONS IDENTICAL TO THAT FOR WHICH THE LICENSEE IS THE MEDICAL DIRECTOR AND SHALL:

(I) INFORM THE SECRETARY OF THE ALLEGATION AND REFERRAL; AND

(II) REQUEST THE COMMITTEE TO CONDUCT A COMPLETE INVESTIGATION OF THE ALLEGATIONS AND REPORT BACK TO THE BOARD AND THE SECRETARY WITH THE COMMITTEE'S FINDINGS AND RECOMMENDATIONS."

AMENDMENT NO. 3

On page 2, after line 21, insert:

"(C) A PHYSICIAN MAY NOT BE DISCIPLINED UNDER SUBSECTION (A)(37) OF THIS SECTION UNLESS:

(1) THE BOARD HAS MADE THE REFERRAL REQUIRED UNDER § 14-401(C)(5) OF THIS SUBTITLE;

(2) THE BOARD AND THE SECRETARY HAVE JOINTLY REVIEWED THE REPORT OF THE COMMITTEE TO WHICH THE REFERRAL WAS MADE UNDER § 14-401(C)(5) OF THIS SUBTITLE; AND

(3) THE BOARD AND THE SECRETARY CONCUR ON APPROPRIATE DISCIPLINARY ACTION."