
By: Senator Hollinger

Introduced and read first time: January 31, 1997

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Physician Quality Assurance - Discipline of Physicians - System of**
3 **Delivery of Health Care Services**

4 FOR the purpose of authorizing the State Board of Physician Quality Assurance to
5 discipline physicians who have certain responsibilities relating to a system of
6 delivery of health care services and the system fails to meet certain standards; and
7 generally relating to the authority of the State Board of Physician Quality Assurance
8 to discipline physicians who are responsible for establishing or supervising protocol
9 or procedures for a system of delivery of health care services.

10 BY repealing and reenacting, with amendments,
11 Article - Health Occupations
12 Section 14-404(a)(35) and (36)
13 Annotated Code of Maryland
14 (1994 Replacement Volume and 1996 Supplement)

15 BY adding to
16 Article - Health Occupations
17 Section 14-404(a)(37)
18 Annotated Code of Maryland
19 (1994 Replacement Volume and 1996 Supplement)

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

22 **Article - Health Occupations**

23 14-404.

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

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

29 (36) Willfully makes a false representation when seeking or making
30 application for licensure or any other application related to the practice of medicine; OR

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1 (37) (I) IS A PHYSICIAN WHO IS RESPONSIBLE FOR ESTABLISHING OR
2 SUPERVISING PROTOCOL OR PROCEDURES FOR A SYSTEM OF DELIVERY OF HEALTH
3 CARE SERVICES AND THE SYSTEM FAILS TO MEET APPROPRIATE STANDARDS FOR
4 THE DELIVERY OF QUALITY MEDICAL CARE AS DETERMINED BY APPROPRIATE
5 PEER REVIEW

6 (II) UNDER THIS SUBSECTION, A PHYSICIAN MAY NOT BE
7 DISCIPLINED BY THE BOARD FOR THE INDEPENDENT JUDGMENT ERROR OF A
8 HEALTH CARE PROVIDER WHO IS PROVIDING DIRECT PATIENT CARE IN
9 CONTRADICTION TO ESTABLISHED PROTOCOL OR PROCEDURES FOR A SYSTEM OF
10 DELIVERY OF QUALITY MEDICAL CARE.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 1997.