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By: **Senator Hollinger**

Introduced and read first time: February 5, 1998

Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 20, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Board of Physician Quality Assurance - Physician Assistants Advisory**  
3 **Committee - Membership**

4 FOR the purpose of requiring the Board of Physician Quality Assurance to assign a  
5 physician member to serve as a ~~nonvoting~~ voting Board representative at all  
6 Physician Assistants Advisory Committee meetings; specifying certain  
7 requirements of the physician members of the Board; specifying certain  
8 requirements of the physician assistant members of the Board; requiring that  
9 an Advisory Committee chairperson and a secretary shall be elected for a certain  
10 term and in a certain manner; specifying the capacity in which the chairperson  
11 shall serve; repealing the requirement that the Board adopt regulations  
12 regarding the appointment of a chairperson and other Committee officers; and  
13 generally relating to the members of the Board and the Advisory Committee.

14 BY repealing and reenacting, with amendments,  
15 Article - Health Occupations  
16 Section 15-202 and 15-203  
17 Annotated Code of Maryland  
18 (1994 Replacement Volume and 1997 Supplement)

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

21 **Article - Health Occupations**

22 15-202.

23 (a) (1) The Committee shall consist of 7 members appointed by the Board.

1 (2) Of the 7 Committee members:

2 (i) 3 shall be licensed physicians;

3 (ii) 3 shall be certified physician assistants; and

4 (iii) 1 shall be a consumer.

5 (3) Of the licensed physician members:

6 (i) At least 1 shall specialize in general surgery or a surgical  
7 subspecialty; and

8 (ii) At least 1 shall specialize in internal medicine, family practice,  
9 or a similar primary care specialty.

10 (4) The Board shall:

11 (i) Appoint the physician assistant members from a list of names  
12 submitted by:

13 1. The Maryland Academy of Physician Assistants; and

14 2. The State institutions of higher education with approved  
15 physician assistant programs[.];

16 (ii) Appoint the consumer member selected by the Secretary of the  
17 Department of Health and Mental Hygiene; AND

18 (III) ASSIGN A PHYSICIAN MEMBER OF THE BOARD TO SERVE AS A  
19 ~~NONVOTING~~ VOTING BOARD REPRESENTATIVE AT ALL MEETINGS OF THE ADVISORY  
20 COMMITTEE.

21 (5) The consumer member:

22 (i) Shall be a member of the general public;

23 (ii) May not be a physician, former physician, physician assistant,  
24 or a person in training to become a physician or physician assistant;

25 (iii) May not have a household member who is a physician or  
26 physician assistant, or a person in training to become a physician assistant; and

27 (iv) May not have had within 2 years before appointment a  
28 substantial financial interest in a process regulated by the Board.

29 (6) Each member of the Committee shall be a resident of the State.

30 (b) [The physician and physician assistant members of the Committee shall:]  
31 OF THE THREE PHYSICIAN MEMBERS OF THE COMMITTEE, TWO SHALL BE

1 PREVIOUSLY OR CURRENTLY SERVING AS SUPERVISING PHYSICIANS OF A  
2 PHYSICIAN ASSISTANT UNDER A BOARD-APPROVED JOB DESCRIPTION.

3           [(1)   (i)       Be licensed as a physician under Title 14 of this article; or

4                           (ii)    Be]   (C)       THE PHYSICIAN ASSISTANT MEMBERS SHALL BE  
5 certified as a physician assistant under this title[; and

6           (2)       Have supervised physician assistant practices].

7   (D)       THE PHYSICIAN ASSISTANT MEMBERS SHALL BE CURRENTLY PRACTICING  
8 AS A PHYSICIAN ASSISTANT OR EMPLOYED AS A FACULTY MEMBER OF AN  
9 ACCREDITED PHYSICIAN ASSISTANT PROGRAM.

10   (E)       A COMMITTEE CHAIRPERSON AND A SECRETARY SHALL BE SELECTED  
11 EVERY 2 YEARS BY A MAJORITY VOTE OF THE MEMBERSHIP OF THE COMMITTEE.

12   (F)       THE CHAIRPERSON SHALL SERVE IN AN ADVISORY CAPACITY TO THE  
13 BOARD AS A REPRESENTATIVE OF THE COMMITTEE.

14 15-203.

15   (a)       The Board shall adopt regulations governing:

16           (1)       The term of office for Committee members;

17           (2)       The procedure for filling vacancies on the Committee;

18           (3)       [The appointment of a chairperson and other officers for the  
19 Committee;

20           (4)]       The removal of Committee members; and

21           [(5)]   (4)       The duties of each officer.

22   (b)       In addition to the regulations on removal of members adopted by the  
23 Board, upon the recommendation of the Secretary the Governor may remove a  
24 member whom the Secretary finds to have been absent from 2 successive Committee  
25 meetings without adequate reason.

26   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 July 1, 1998.

