
By: **Senator Hollinger**

Introduced and read first time: February 6, 1998

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Practice of Medicine - Definition**

3 FOR the purpose of including within the definition of "practice medicine" the
4 supervising, directing, or otherwise being responsible for administering the
5 delivery of certain medical services; and generally relating to the practice of
6 medicine.

7 BY repealing and reenacting, with amendments,
8 Article - Health Occupations
9 Section 14-101(k)
10 Annotated Code of Maryland
11 (1994 Replacement Volume and 1997 Supplement)

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

14 **Article - Health Occupations**

15 14-101.

16 (k) (1) "Practice medicine" means to engage, with or without compensation,
17 in medical:

18 (i) Diagnosis;

19 (ii) Healing;

20 (iii) Treatment; or

21 (iv) Surgery.

22 (2) "Practice medicine" includes doing, undertaking, professing to do,
23 and attempting any of the following:

1 (i) Diagnosing, healing, treating, preventing, prescribing for, or
2 removing any physical, mental, or emotional ailment or supposed ailment of an
3 individual:

4 1. By physical, mental, emotional, or other process that is
5 exercised or invoked by the practitioner, the patient, or both; or

6 2. By appliance, test, drug, operation, or treatment;

7 (ii) Ending of a human pregnancy; [and]

8 (iii) Performing acupuncture; AND

9 (IV) SUPERVISING, DIRECTING, OR OTHERWISE BEING
10 RESPONSIBLE FOR ADMINISTERING THE DELIVERY OF MEDICAL SERVICES
11 INCLUDING:

12 1. ESTABLISHING, PROMULGATING, OR ENFORCING
13 PROTOCOLS OR PROCEDURES FOR THE DELIVERY OF MEDICAL SERVICES; OR

14 2. MAKING A DETERMINATION CONCERNING THE MEDICAL
15 APPROPRIATENESS OR MEDICAL NECESSITY OF HEALTH CARE.

16 (3) "Practice medicine" does not include:

17 (i) Selling any nonprescription drug or medicine;

18 (ii) Practicing as an optician; or

19 (iii) Performing a massage or other manipulation by hand, but by no
20 other means.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 1998.