
By: **Senator Miller**

Introduced and read first time: February 4, 1999

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Board of Physician Quality Assurance - Physician Profiles - Disclosure to**
3 **the Public**

4 FOR the purpose of requiring the Board of Physician Quality Assurance to create an
5 individual profile on each licensed physician that includes certain information;
6 requiring the Board to provide a written copy of a profile to certain persons
7 under certain circumstances; requiring the Board to make all profiles available
8 on the internet; with a certain exception, requiring the Board, before making a
9 profile available to the public, to provide a licensee with a written copy of the
10 licensee's profile and a certain period to correct factual inaccuracies; requiring
11 the Board to include information relating to a final disciplinary action taken by
12 the Board against the licensee in the licensee's profile within a certain period
13 after the action becomes final; defining certain terms; and generally relating to
14 the Board of Physician Quality Assurance and disclosure of information relating
15 to physicians.

16 BY repealing and reenacting, without amendments,
17 Article - Health Occupations
18 Section 14-411(a)
19 Annotated Code of Maryland
20 (1994 Replacement Volume and 1998 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article - Health Occupations
23 Section 14-411(b) and (c)
24 Annotated Code of Maryland
25 (1994 Replacement Volume and 1998 Supplement)

26 BY adding to
27 Article - Health Occupations
28 Section 14-411.1
29 Annotated Code of Maryland
30 (1994 Replacement Volume and 1998 Supplement)

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

3 **Article - Health Occupations**

4 14-411.

5 (a) In this section, "record" means the proceedings, records, or files of the
6 Board.

7 (b) Except as otherwise expressly provided in this section AND § 14-411.1 OF
8 THIS SUBTITLE, the Board or any of its investigatory bodies may not disclose any
9 information contained in a record.

10 (c) Nothing in this section shall be construed to prevent or limit the disclosure
11 of:

12 (1) [general] GENERAL licensure, certification, or registration
13 information maintained by the Board, if the request for release complies with the
14 criteria of § 10-617(h) of the State Government Article; OR

15 (2) PROFILE INFORMATION COLLECTED AND DISSEMINATED UNDER §
16 14-411.1 OF THIS SUBTITLE.

17 14-411.1.

18 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
19 INDICATED.

20 (2) "ALTERNATIVE HEALTH CARE SYSTEM" HAS THE MEANING STATED
21 IN § 14-501 OF THIS TITLE.

22 (3) "HEALTH MAINTENANCE ORGANIZATION" HAS THE MEANING
23 STATED IN § 19-701 OF THE HEALTH - GENERAL ARTICLE.

24 (B) THE BOARD SHALL CREATE AN INDIVIDUAL PROFILE ON EACH LICENSEE
25 THAT INCLUDES THE FOLLOWING INFORMATION:

26 (1) A DESCRIPTION OF ANY FINAL DISCIPLINARY ACTION TAKEN BY THE
27 BOARD AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR PERIOD;

28 (2) A DESCRIPTION OF ANY DISCIPLINARY ACTION TAKEN BY A
29 LICENSING BOARD IN ANY OTHER STATE OR JURISDICTION AGAINST THE LICENSEE
30 WITHIN THE MOST RECENT 10-YEAR PERIOD;

31 (3) THE NAME OF ANY MEDICAL SCHOOL THAT THE LICENSEE
32 ATTENDED AND THE DATE ON WHICH THE LICENSEE GRADUATED FROM THE
33 SCHOOL;

34 (4) A DESCRIPTION OF ANY GRADUATE MEDICAL EDUCATION;

1 (5) A DESCRIPTION OF ANY SPECIALTY BOARD CERTIFICATION;

2 (6) THE NUMBER OF YEARS THAT THE LICENSEE HAS PRACTICED
3 MEDICINE;

4 (7) THE NAME OF ANY HOSPITAL, ALTERNATIVE HEALTH CARE SYSTEM,
5 OR HEALTH MAINTENANCE ORGANIZATION WHERE THE LICENSEE HAS MEDICAL
6 PRIVILEGES;

7 (8) THE LOCATION OF THE LICENSEE'S PRIMARY PRACTICE SETTING;
8 AND

9 (9) WHETHER THE LICENSEE PARTICIPATES IN THE MARYLAND
10 MEDICAL ASSISTANCE PROGRAM.

11 (C) THE BOARD:

12 (1) ON RECEIPT OF A WRITTEN REQUEST FOR A LICENSEE'S PROFILE
13 FROM ANY PERSON, SHALL FORWARD A WRITTEN COPY OF THE PROFILE TO THE
14 PERSON; AND

15 (2) SHALL MAKE ALL PROFILES AVAILABLE TO THE PUBLIC ON THE
16 INTERNET.

17 (D) SUBJECT TO SUBSECTION (E) OF THIS SECTION, BEFORE MAKING A
18 PROFILE AVAILABLE TO THE PUBLIC UNDER SUBSECTION (C) OF THIS SECTION, THE
19 BOARD SHALL:

20 (1) PROVIDE A LICENSEE WITH A WRITTEN COPY OF THE LICENSEE'S
21 PROFILE; AND

22 (2) PROVIDE A REASONABLE PERIOD FOR THE LICENSEE TO CORRECT
23 ANY FACTUAL INACCURACIES IN THE PROFILE.

24 (E) THE BOARD SHALL INCLUDE INFORMATION RELATING TO A FINAL
25 DISCIPLINARY ACTION TAKEN BY THE BOARD AGAINST A LICENSEE IN THE
26 LICENSEE'S PROFILE WITHIN 10 DAYS AFTER THE ACTION BECOMES FINAL.

27 (F) THIS SECTION DOES NOT LIMIT THE BOARD'S AUTHORITY TO DISCLOSE
28 INFORMATION AS REQUIRED UNDER § 14-411 OF THIS SUBTITLE.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 1999.