

SENATE BILL 761

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2000 Regular Session
0lr2546

By: **Senator Della**

Introduced and read first time: February 4, 2000

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Secretary of Health and Mental Hygiene - Findings - Disciplinary or**
3 **Regulatory Action - Notice to Interested Persons**

4 FOR the purpose of requiring the Secretary of Health and Mental Hygiene to provide
5 written notice to certain persons if the Secretary finds that an entity or person
6 has violated certain statutory provisions or takes disciplinary or regulatory
7 action against a person who has violated certain statutory provisions; requiring
8 certain persons to pay the cost of the notice; providing that the notice shall be
9 forwarded by the Secretary or, at the discretion of the Secretary, by the person
10 who has violated the statutory provision in the manner prescribed by the
11 Secretary; and generally relating to the duties of the Secretary of Health and
12 Mental Hygiene.

13 BY adding to
14 Article - Health - General
15 Section 24-430
16 Annotated Code of Maryland
17 (1996 Replacement Volume and 1999 Supplement)

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

20 **Article - Health - General**

21 24-430.

22 (A) IF THE SECRETARY FINDS THAT AN ENTITY OR PERSON HAS VIOLATED A
23 PROVISION OF THIS ARTICLE OR TAKES ANY DISCIPLINARY OR REGULATORY ACTION
24 AGAINST AN ENTITY OR PERSON WHO HAS VIOLATED A PROVISION OF THIS ARTICLE,
25 THE SECRETARY SHALL PROVIDE WRITTEN NOTICE OF THE FINDING OR ACTION TO:

26 (1) ANY PERSON WHOSE CARE, TREATMENT, OR CIRCUMSTANCES GAVE
27 RISE TO THE FINDING OR ACTION OR THAT PERSON'S LEGAL REPRESENTATIVE;

1 (2) ANY PERSON WHO HAS BEEN ADVERSELY AFFECTED BY THE
2 CONDUCT OR CONDITION CONSTITUTING THE VIOLATION OR THAT PERSON'S LEGAL
3 REPRESENTATIVE; AND

4 (3) THE ATTENDING PHYSICIAN OR OTHER HEALTH CARE PROVIDER
5 FOR ANY PERSON IDENTIFIED IN PARAGRAPHS (1) AND (2) OF THIS SUBSECTION.

6 (B) AN ENTITY OR PERSON WHO VIOLATES A PROVISION OF THIS ARTICLE
7 SHALL PAY THE COST OF PROVIDING THE WRITTEN NOTICE REQUIRED UNDER
8 SUBSECTION (A) OF THIS SECTION.

9 (C) THE WRITTEN NOTICE REQUIRED UNDER SUBSECTION (A) OF THIS
10 SECTION SHALL BE FORWARDED:

11 (1) BY THE SECRETARY; OR

12 (2) AT THE DISCRETION OF THE SECRETARY, BY THE ENTITY OR PERSON
13 WHO VIOLATES A PROVISION OF THIS ARTICLE IN THE MANNER PRESCRIBED BY THE
14 SECRETARY.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2000.