
By: **Delegates Pitkin, Clagett, Conroy, Frush, Kagan, Menes, Moe, Murphy,
Pendergrass, Rosenberg, and Valderrama**

Introduced and read first time: February 9, 2001

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Licensing - Physicians - Pain Management and Palliative Care Courses**

3 FOR the purpose of requiring a medical student who is applying for a license in
4 Maryland to successfully complete a pain management or palliative care course
5 approved by the Board of Physicians Quality Assurance; exempting certain
6 applicants from the requirement to complete certain courses; requiring a
7 physician who is renewing a license to successfully complete a pain management
8 or palliative care course within the immediate renewal period; and generally
9 relating to a required pain management or palliative care course for the
10 licensure of physicians.

11 BY adding to
12 Article - Health Occupations
13 Section 14-307(f)
14 Annotated Code of Maryland
15 (2000 Replacement Volume)

16 BY repealing and reenacting, with amendments,
17 Article - Health Occupations
18 Section 14-307(f), (g), and (h) and 14-316
19 Annotated Code of Maryland
20 (2000 Replacement Volume)

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

23 **Article - Health Occupations**

24 14-307.

25 (F) (1) THE APPLICANT SHALL SUBMIT EVIDENCE TO THE BOARD OF
26 SUCCESSFUL COMPLETION OF A PAIN MANAGEMENT OR PALLIATIVE CARE COURSE
27 APPROVED BY THE BOARD IN ITS REGULATIONS.

1 (2) AN APPLICANT IS EXEMPT FROM THIS SUBSECTION IF THE
2 APPLICANT GRADUATED FROM A MEDICAL SCHOOL THAT DID NOT OFFER A COURSE
3 IN PAIN MANAGEMENT OR PALLIATIVE CARE WHILE THE APPLICANT ATTENDED THE
4 SCHOOL.

5 [(f)] (G) The applicant shall meet any other qualifications that the Board
6 establishes in its regulations for license applicants.

7 [(g)] (H) An applicant who has failed the examination or any part of the
8 examination 3 or more times shall submit evidence of having completed 1 year of
9 additional clinical training in an approved postgraduate training program following
10 the latest failure.

11 [(h)] (I) (1) The Board shall require as part of its examination or licensing
12 procedures that an applicant for a license to practice medicine demonstrate an oral
13 competency in the English language.

14 (2) Graduation from a recognized English-speaking undergraduate
15 school or high school, including General Education Development (GED), after at least
16 3 years of enrollment, or from a recognized English-speaking professional school is
17 acceptable as proof of proficiency in the oral communication of the English language
18 under this section.

19 (3) By regulation, the Board shall develop a procedure for testing
20 individuals who because of their speech impairment are unable to complete
21 satisfactorily a Board approved standardized test of oral competency.

22 (4) If any disciplinary charges or action that involves a problem with the
23 oral communication of the English language are brought against a licensee under this
24 title, the Board shall require the licensee to take and pass a Board approved
25 standardized test of oral competency.

26 14-316.

27 (a) (1) The Board shall provide for the term and renewal of licenses under
28 this section.

29 (2) The term of a license may not be more than 3 years.

30 (3) A license expires at the end of its term, unless the license is renewed
31 for a term as provided by the Board.

32 (b) At least 1 month before the license expires, the Board shall send to the
33 licensee, by first-class mail to the last known address of the licensee:

34 (1) A renewal notice that states:

35 (i) The date on which the current license expires;

1 (ii) The date by which the renewal application must be received by
2 the Board for the renewal to be issued and mailed before the license expires; and

3 (iii) The amount of the renewal fee; and

4 (2) A blank panel data sheet supplied by the Health Claims Arbitration
5 Office.

6 (c) Before the license expires, the licensee periodically may renew it for an
7 additional term, if the licensee:

8 (1) Otherwise is entitled to be licensed;

9 (2) Pays to the Board a renewal fee set by the Board; and

10 (3) Submits to the Board:

11 (i) A renewal application on the form that the Board requires; and

12 (ii) Satisfactory evidence of compliance with any continuing
13 education requirements set under this section for license renewal.

14 (d) (1) (I) In addition to any other qualifications and requirements
15 established by the Board, the Board may establish continuing education
16 requirements as a condition to the renewal of licenses under this section.

17 (II) BEGINNING OCTOBER 1, 2003, AS A CONDITION TO THE
18 RENEWAL OF A LICENSE, THE BOARD SHALL REQUIRE A LICENSEE TO SHOW THAT
19 THE LICENSEE SUCCESSFULLY COMPLETED A COURSE IN PAIN MANAGEMENT OR
20 PALLIATIVE CARE WITHIN THE PRECEDING LICENSURE PERIOD.

21 (2) In establishing these requirements, the Board shall evaluate existing
22 methods, devices, and programs in use among the various medical specialties and
23 other recognized medical groups.

24 (3) The Board may not establish or enforce these requirements if they
25 would so reduce the number of physicians in a community as to jeopardize the
26 availability of adequate medical care in that community.

27 (e) The Board shall renew the license of each licensee who meets the
28 requirements of this section.

29 (f) (1) Each licensee shall notify the secretary of the Board in writing of any
30 change in the licensee's name or address within 60 days after the change.

31 (2) If a licensee fails to notify the secretary of the Board within the time
32 required under this section, the licensee is subject to an administrative penalty of
33 \$100.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 October 1, 2001.

