

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 417 (Chairman, Environmental Matters Committee)
 (Departmental – Health and Mental Hygiene)
Environmental Matters

Board of Physician Quality Assurance - Grounds for Discipline

This departmental bill authorizes the Board of Physician Quality Assurance (BPQA) to reprimand or place a licensee on probation, or suspend or revoke a license if a licensee fails to meet the continuing medical education requirements for renewal or licensure, certification, or registration, or falsely reports completion of these requirements.

Fiscal Summary

State Effect: Any additional hearings could be handled with existing BPQA and Office of Administrative Hearing finances. No effect on revenues.

Local Effect: None.

Small Business Effect: The Department of Health and Mental Hygiene has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: BPQA may reprimand or place a licensee on probation, or suspend or revoke a license if the licensee violates any of an extensive list of professional practice requirements. A licensee is not subject to disciplinary action by BPQA for failing to meet continuing education requirements.

Background: The bill's provisions would establish a specific disciplinary ground for physicians who fail to provide documentation of meeting the continuing medical education requirements.

A physician who applies for licensure renewal must have earned at least 50 credit hours of continuing medical education (CME) during the two-year period immediately preceding the physician's application for renewal. Currently, if a licensee has certified that he or she met the CME requirement and the BPQA conducts an audit and finds that the licensee did not meet the requirement, the licensee may be guilty of immoral or unprofessional conduct, or willfully making a false representation when seeking or making application for licensure. These grounds for discipline are generally used for physicians who have engaged in sexual misconduct. The BPQA is seeking a specific disciplinary ground for failure to document CMEs that more accurately reflects the physician's transgression.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene (Board of Physician Quality Assurance), Office of Administrative Hearings, Department of Legislative Services

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