
By: **Delegate Zirkin**

Introduced and read first time: February 16, 2004

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Physicians - Licensee Profiles**

3 FOR the purpose of eliminating the requirement to include certain information in
4 licensee profiles maintained by the State Board of Physicians; and generally
5 relating to licensee profiles maintained by the State Board of Physicians.

6 BY repealing and reenacting, with amendments,
7 Article - Health Occupations
8 Section 14-411.1
9 Annotated Code of Maryland
10 (2000 Replacement Volume and 2003 Supplement)

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

13 **Article - Health Occupations**

14 14-411.1.

15 (a) In this section, "health maintenance organization" has the meaning stated
16 in § 19-701 of the Health - General Article.

17 (b) The Board shall create and maintain a public individual profile on each
18 licensee that includes the following information:

19 (1) A description of any disciplinary action taken by the Board against
20 the licensee within the most recent 10-year period that includes a copy of the public
21 order;

22 (2) A description in summary form of any final disciplinary action taken
23 by a licensing board in any other state or jurisdiction against the licensee within the
24 most recent 10-year period;

25 (3) The number of medical malpractice final court judgments and
26 arbitration awards against the licensee within the most recent 10-year period for
27 which all appeals have been exhausted as reported to the Board;

1 [(4) The number of medical malpractice settlements involving the
2 licensee if there are three or more with a settlement amount of \$150,000 or greater
3 within the most recent 5-year period as reported to the Board;]

4 [(5)] (4) A description of a conviction or entry of a plea of guilty or nolo
5 contendere by the licensee for a crime involving moral turpitude reported to the Board
6 under § 14-413(b) of this subtitle; and

7 [(6)] (5) Medical education and practice information about the licensee
8 including:

9 (i) The name of any medical school that the licensee attended and
10 the date on which the licensee graduated from the school;

11 (ii) A description of any internship and residency training;

12 (iii) A description of any specialty board certification by a recognized
13 board of the American Board of Medical Specialties or the American Osteopathic
14 Association;

15 (iv) The name of any hospital where the licensee has medical
16 privileges as reported to the Board under § 14-413 of this subtitle;

17 (v) The location of the licensee's primary practice setting; and

18 (vi) Whether the licensee participates in the Maryland Medical
19 Assistance Program.

20 (c) In addition to the requirements of subsection (b) of this section, the Board
21 shall:

22 (1) Provide appropriate and accessible Internet links from the Board's
23 Internet site:

24 (i) To the extent available, to the appropriate portion of the
25 Internet site of each health maintenance organization licensed in this State which
26 will allow the public to ascertain the names of the physicians affiliated with the
27 health maintenance organization; and

28 (ii) To the appropriate portion of the Internet site of the American
29 Medical Association; and

30 (2) Include a statement on each licensee's profile of information to be
31 taken into consideration by a consumer when viewing a licensee's profile[, including
32 factors to consider when evaluating a licensee's malpractice data].

33 (d) The Board:

34 (1) On receipt of a written request for a licensee's profile from any
35 person, shall forward a written copy of the profile to the person; and

1 (2) Shall maintain a website that serves as a single point of entry where
2 all physician profile information is available to the public on the Internet.

3 (e) The Board shall provide a mechanism for the notification and prompt
4 correction of any factual inaccuracies in a licensee's profile.

5 (f) The Board shall include information relating to a final disciplinary action
6 taken by the Board against a licensee in the licensee's profile within 10 days after the
7 action becomes final.

8 (g) This section does not limit the Board's authority to disclose information as
9 required under § 14-411 of this subtitle.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2004.