

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 398
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “secretary-treasurer;” insert “authorizing the Board to conduct a show-cause proceeding under certain circumstances;”; in line 15, strike “the public” and substitute “certain complainants”; and in line 17, after “circumstances;” insert “prohibiting certain complainants from attending certain deliberations of the Board regarding disciplinary matters;”.

On page 2, in line 1, after “date;” insert “authorizing the Board to appoint certain physician reviewers to perform certain additional evaluations for certain peer reviews under certain circumstances;”; and in line 14, strike “requiring the Board to return certain funds to certain licensees;”.

On page 3, after line 1, insert:

“BY repealing and reenacting, with amendments,
Chapter 252 of the Acts of the General Assembly of 2003
Section 8”.

AMENDMENT NO. 2

On page 6, in line 14, after “(a)” insert “(1)”; in the same line, strike “The” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; and after line 16, insert:

“(2) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF THE BOARD RECEIVES WRITTEN PROOF FROM A LICENSING ENTITY IN ANOTHER STATE THAT A LICENSEE HAS A SUSPENDED OR REVOKED LICENSE IN THAT STATE DUE TO A STANDARD OF CARE VIOLATION OR A CHARGE OF SEXUAL ABUSE OR DRUG OR ALCOHOL ADDICTION, THE BOARD MAY CONDUCT A SHOW-CAUSE

(Over)

PROCEEDING INSTEAD OF A PRELIMINARY OR FULL INVESTIGATION.

(II) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS PARAGRAPH.”.

AMENDMENT NO. 3

On page 11, in line 2, strike “PARAGRAPH (B)” and substitute “SUBSECTIONS (B) AND (C)”; in line 4, strike “PUBLIC” and substitute “COMPLAINANT”; and in line 8, after “(C)” insert “A COMPLAINANT MAY NOT ATTEND BOARD DELIBERATIONS REGARDING DISCIPLINARY MATTERS.

(D)”.

AMENDMENT NO. 4

On page 15, after line 4, insert:

“Chapter 252 of the Acts of 2003

SECTION 8. AND BE IT FURTHER ENACTED, That the entity or entities with which the State Board of Physicians contracts under § 14-401(e) of the Health Occupations Article for further investigation and peer review of allegations based on § 14-404(a)(22) of the Health Occupations Article shall utilize two peer reviewers, and in the event of a lack of agreement between the two reviewers, the Board shall [utilize] APPOINT a third PHYSICIAN reviewer WITHIN THE INVOLVED MEDICAL SPECIALTY OR SPECIALTIES to [render] PERFORM AN ADDITIONAL EVALUATION OF THE MEDICAL OR SURGICAL CARE THAT IS THE SUBJECT OF THE BOARD’S PEER REVIEW BEFORE RENDERING a final peer review decision.”.

AMENDMENT NO. 5

On page 16, strike in their entirety lines 11 through 13, inclusive; and in line 14, strike “8.” and substitute “7.”.