
By: **Senator Middleton**

Introduced and read first time: January 25, 2006

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel - Certificate of Illness or Disability - Medical Technicians**
3 **and Signatures**

4 FOR the purpose of authorizing a medical technician who performed a test at the
5 request of a certain medical doctor to sign a certain certificate of illness or
6 disability; providing that a signature or facsimile of a signature provided by an
7 employee of a medical provider, with the approval of the provider, meets a
8 certain requirement that a certificate of disability or illness be signed by certain
9 individuals; and generally relating to certificates of illness or disability, medical
10 technicians, and signatures.

11 BY repealing and reenacting, with amendments,
12 Article - State Personnel and Pensions
13 Section 9-504
14 Annotated Code of Maryland
15 (2004 Replacement Volume and 2005 Supplement)

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

18 **Article - State Personnel and Pensions**

19 9-504.

20 (a) An employee who uses sick leave for 5 or more consecutive workdays for
21 personal illness or disability or the illness or disability of a member of the employee's
22 immediate family may not receive payment under this subtitle unless the employee
23 gives the employee's immediate supervisor an original certificate of illness or
24 disability.

25 (b) The certificate required under subsection (a) of this section shall be signed
26 by one of the following:

27 (1) a medical doctor who is authorized to practice medicine or surgery by
28 the state in which the doctor practices;

1 (2) if authorized to practice in a state and performing within the scope of
2 that authority:

- 3 (i) a chiropractor;
- 4 (ii) a clinical psychologist;
- 5 (iii) a dentist;
- 6 (iv) a licensed certified social worker - clinical;
- 7 (v) a nurse midwife;
- 8 (vi) a nurse practitioner;
- 9 (vii) an oral surgeon;
- 10 (viii) an optometrist;
- 11 (ix) a physical therapist; [or]
- 12 (x) a podiatrist; OR

13 (XI) A MEDICAL TECHNICIAN WHO PERFORMED A TEST AT THE
14 REQUEST OF A MEDICAL DOCTOR WHO IS AUTHORIZED TO PRACTICE MEDICINE OR
15 SURGERY BY THE STATE IN WHICH THE DOCTOR PRACTICES;

16 (3) an accredited Christian Science practitioner; or

17 (4) a health care provider as defined by the federal Family Medical
18 Leave Act.

19 (c) A SIGNATURE OR FACSIMILE OF A SIGNATURE PROVIDED BY AN
20 EMPLOYEE OF A MEDICAL PROVIDER, WITH THE APPROVAL OF THE PROVIDER,
21 MEETS THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION.

22 (D) The certificate required under subsection (a) of this section due to an
23 employee's illness or disability shall include a prognosis about the employee's ability
24 to return to work.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2006.