
By: **Senator Middleton**

Introduced and read first time: January 25, 2006

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 22, 2006

CHAPTER _____

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; requiring a medical technician who signs a certificate of illness or
 10 disability to attach to the certificate a copy of a certain order or prescription; and
 11 generally relating to certificates of illness or disability, medical technicians, and
 12 signatures.

13 BY repealing and reenacting, with amendments,
 14 Article - State Personnel and Pensions
 15 Section 9-504
 16 Annotated Code of Maryland
 17 (2004 Replacement Volume and 2005 Supplement)

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

20 **Article - State Personnel and Pensions**

21 9-504.

22 (a) An employee who uses sick leave for 5 or more consecutive workdays for
 23 personal illness or disability or the illness or disability of a member of the employee's

1 immediate family may not receive payment under this subtitle unless the employee
2 gives the employee's immediate supervisor an original certificate of illness or
3 disability.

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

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

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

10 (i) a chiropractor;

11 (ii) a clinical psychologist;

12 (iii) a dentist;

13 (iv) a licensed certified social worker - clinical;

14 (v) a nurse midwife;

15 (vi) a nurse practitioner;

16 (vii) an oral surgeon;

17 (viii) an optometrist;

18 (ix) a physical therapist; [or]

19 (x) a podiatrist; OR

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

23 (3) an accredited Christian Science practitioner; or

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

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

29 (D) A MEDICAL TECHNICIAN WHO SIGNS A CERTIFICATE UNDER SUBSECTION
30 (B)(2) OF THIS SECTION SHALL ATTACH TO THE CERTIFICATE A COPY OF A MEDICAL
31 DOCTOR'S ORDER OR PRESCRIPTION FOR THE TEST PERFORMED BY THE MEDICAL
32 TECHNICIAN.

1 ~~(D)~~ (E) The certificate required under subsection (a) of this section due to an
2 employee's illness or disability shall include a prognosis about the employee's ability
3 to return to work.

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