

SENATE BILL 48

P4
SB 273/06 – FIN

7lr1223

By: **Senator Middleton**

Introduced and read first time: January 18, 2007

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; 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;
11 and generally relating to certificates of illness or disability, medical technicians,
12 and 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 2006 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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

12 (i) a chiropractor;

13 (ii) a clinical psychologist;

14 (iii) a dentist;

15 (iv) a licensed certified social worker – clinical;

16 (v) a nurse midwife;

17 (vi) a nurse practitioner;

18 (vii) an oral surgeon;

19 (viii) an optometrist;

20 (ix) a physical therapist; [or]

21 (x) a podiatrist; **OR**

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

25 (3) an accredited Christian Science practitioner; or

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

3 **(C) A SIGNATURE OR FACSIMILE OF A SIGNATURE PROVIDED BY AN**
4 **EMPLOYEE OF A MEDICAL PROVIDER, WITH THE APPROVAL OF THE PROVIDER,**
5 **MEETS THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION.**

6 **(D) A MEDICAL TECHNICIAN WHO SIGNS A CERTIFICATE UNDER**
7 **SUBSECTION (B)(2) OF THIS SECTION SHALL ATTACH TO THE CERTIFICATE A**
8 **COPY OF A MEDICAL DOCTOR'S ORDER OR PRESCRIPTION FOR THE TEST**
9 **PERFORMED BY THE MEDICAL TECHNICIAN.**

10 ~~[(c)]~~ **(E)** The certificate required under subsection (a) of this section due to an
11 employee's illness or disability shall include a prognosis about the employee's ability to
12 return to work.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2007.