

# SENATE BILL 851

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SB 345/06 – EHE

71r2879

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By: **Senators Lenett, Colburn, Dyson, Klausmeier, Madaleno, ~~and Middleton~~  
Middleton, Britt, DeGrange, Hooper, Jones, and McFadden**

Introduced and read first time: February 19, 2007

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 22, 2007

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 27, 2007

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Physicians – Unauthorized Practice of Medicine – Penalty**

3 FOR the purpose of making it a felony for certain persons to engage in, attempt to  
4 engage in, or offer to engage in the unauthorized practice of medicine; providing  
5 for certain penalties; and generally relating to the unauthorized practice of  
6 medicine.

7 BY repealing and reenacting, without amendments,  
8 Article – Health Occupations  
9 Section 14–601  
10 Annotated Code of Maryland  
11 (2005 Replacement Volume and 2006 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – Health Occupations  
14 Section 14–606  
15 Annotated Code of Maryland  
16 (2005 Replacement Volume and 2006 Supplement)

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Health Occupations**

4 14–601.

5 Except as otherwise provided in this title, a person may not practice, attempt to  
6 practice, or offer to practice medicine in this State unless licensed by the Board.

7 14–606.

8 (a) (1) **[A] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS**  
9 **SUBSECTION, A** person who violates any provision of this subtitle is guilty of a  
10 misdemeanor and on conviction is subject to a fine not exceeding \$5,000 or  
11 imprisonment not exceeding 5 years or both.

12 (2) A person who violates any provision of § 14–503 of this title is  
13 guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500.

14 (3) **[Any] A** person who is required to give notice under § 14–505  
15 (“Reporting burn treatment”) of this title, and who fails to give the required notice, is  
16 liable for a civil penalty of not more than \$100.

17 (4) **[Any] EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS**  
18 **SUBSECTION, A** person who violates § 14–601 of this subtitle is:

19 (I) **GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT**  
20 **TO A FINE NOT EXCEEDING ~~\$5,000~~ \$10,000 OR IMPRISONMENT NOT EXCEEDING**  
21 **5 YEARS OR BOTH; AND**

22 (II) **[subject] SUBJECT** to a civil fine of not more than \$50,000  
23 to be levied by the Board.

24 (5) **THE PROVISIONS OF PARAGRAPH (4) OF THIS SUBSECTION DO**  
25 **NOT APPLY TO A LICENSEE WHO HAS FAILED TO RENEW A LICENSE UNDER §**  
26 **14–316 OF THIS TITLE ~~AND LESS THAN 30 DAYS HAVE ELAPSED.~~**

27 (b) The Board shall pay any penalty collected under this section into the  
28 Board of Physicians Fund.

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.