

CHAPTER 359

(Senate Bill 851)

AN ACT concerning

Physicians – Unauthorized Practice of Medicine – Penalty

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

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

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

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

Article – Health Occupations

14–601.

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

14–606.

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

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

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

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

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

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

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

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

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

Approved by the Governor, May 8, 2007.