

# HOUSE BILL 427

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By: **Delegates Morhaim, Elliott, and Nathan-Pulliam**

Introduced and read first time: January 28, 2008

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Power of Secretary of Health and Mental**  
3 **Hygiene – Regulatory Boards**

4 FOR the purpose of altering the power of the Secretary of Health and Mental Hygiene  
5 to include the power to disapprove or modify decisions or determinations of  
6 certain regulatory boards regarding disciplinary action against individuals  
7 licensed or certified by the boards; and generally relating to the power of the  
8 Secretary of Health and Mental Hygiene over regulatory boards.

9 BY repealing and reenacting, with amendments,  
10 Article – Health Occupations  
11 Section 1–203  
12 Annotated Code of Maryland  
13 (2005 Replacement Volume and 2007 Supplement)

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

16 **Article – Health Occupations**

17 1–203.

18 (a) [The] **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (B) OF**  
19 **THIS SECTION, THE** power of the Secretary over plans, proposals, and projects of  
20 units in the Department does not include the power to disapprove or modify any  
21 decision or determination that a board or commission established under this article  
22 makes under authority specifically delegated by law to the board or commission.

23 **(B) THE SECRETARY MAY DISAPPROVE OR MODIFY ANY DECISION OR**  
24 **DETERMINATION THAT A BOARD ESTABLISHED UNDER THIS ARTICLE MAKES**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **REGARDING DISCIPLINARY ACTION AGAINST AN INDIVIDUAL LICENSED OR**  
2 **CERTIFIED BY THE BOARD.**

3           **[(b)] (C)**       The power of the Secretary to transfer staff or functions of units in  
4 the Department does not apply to any staff of a board or commission, established  
5 under this article, or to any functions that pertain to licensing, disciplinary, or  
6 enforcement authority, or to any other authority specifically delegated by law to a  
7 board or commission.

8           **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect  
9 October 1, 2008.