

# SENATE BILL 857

J1, J2

8lr2640  
CF HB 666

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By: **Senator Lenett**

Introduced and read first time: February 13, 2008

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Uniform Emergency Volunteer Health Practitioners Act**

3 FOR the purpose of providing for the applicability of this Act to certain volunteer  
4 health practitioners; authorizing certain agencies and offices in the State to  
5 have certain authority while an emergency declaration is in effect; requiring  
6 certain entities to consult with certain agencies and offices and to comply with  
7 certain laws; providing for the requirements to qualify as a volunteer health  
8 practitioner registration system; authorizing certain agencies and offices to  
9 confirm that volunteer health practitioners are registered with a certain  
10 registration system when an emergency declaration is in effect; authorizing  
11 certain volunteer health practitioners who are licensed in other states to  
12 practice in this State under certain circumstances; providing that this Act does  
13 not affect the credentialing or privileging standards of a health facility;  
14 requiring a volunteer health practitioner to adhere to a certain scope of practice;  
15 authorizing certain State licensing boards to modify the services that may be  
16 provided by a volunteer health practitioner; authorizing a host entity to restrict  
17 the services that may be provided by a volunteer health practitioner; providing  
18 for the circumstances under which a volunteer health practitioner engages in  
19 unauthorized practice; authorizing certain licensing boards or disciplinary  
20 authorities to impose certain sanctions; requiring certain licensing boards or  
21 disciplinary boards to consider certain factors when determining whether to  
22 impose sanctions; providing that this Act does not limit certain rights provided  
23 to volunteer health practitioners and does not affect certain requirements under  
24 the Emergency Management Assistance Compact; authorizing certain agencies  
25 or offices to incorporate certain volunteer health practitioners into the  
26 emergency forces of the State; authorizing the Maryland Emergency  
27 Management Agency, in consultation with the Office of Preparedness and  
28 Response, to adopt certain regulations; providing for the application and  
29 construction of this Act; defining certain terms; and generally relating to the  
30 Uniform Emergency Volunteer Health Practitioners Act.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to  
2 Article – Health Occupations  
3 Section 1–701 through 1–710 to be under the new subtitle “Subtitle 7. Uniform  
4 Emergency Volunteer Health Practitioners Act”  
5 Annotated Code of Maryland  
6 (2005 Replacement Volume and 2007 Supplement)

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

9 **Article – Health Occupations**

10 **SUBTITLE 7. UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS**  
11 **ACT.**

12 **1–701.**

13 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
14 INDICATED.

15 (B) “DISASTER RELIEF ORGANIZATION” MEANS AN ENTITY THAT  
16 PROVIDES EMERGENCY OR DISASTER RELIEF SERVICES INCLUDING HEALTH OR  
17 VETERINARY SERVICES PROVIDED BY VOLUNTEER HEALTH PRACTITIONERS  
18 AND THAT:

19 (1) IS DESIGNATED OR RECOGNIZED AS A PROVIDER OF THOSE  
20 SERVICES UNDER A DISASTER RESPONSE AND RECOVERY PLAN ADOPTED BY AN  
21 AGENCY OF THE FEDERAL GOVERNMENT OR THE MARYLAND EMERGENCY  
22 MANAGEMENT AGENCY; OR

23 (2) REGULARLY PLANS AND CONDUCTS ITS ACTIVITIES IN  
24 COORDINATION WITH AN AGENCY OF THE FEDERAL GOVERNMENT OR THE  
25 MARYLAND EMERGENCY MANAGEMENT AGENCY.

26 (C) “EMERGENCY” HAS THE MEANING STATED IN § 14–101 OF THE  
27 PUBLIC SAFETY ARTICLE.

28 (D) “EMERGENCY DECLARATION” MEANS A DECLARATION OF  
29 EMERGENCY ISSUED BY AN INDIVIDUAL AUTHORIZED TO DO SO UNDER THE  
30 LAWS OF THIS STATE, A POLITICAL SUBDIVISION OF THIS STATE, OR A  
31 MUNICIPALITY OR OTHER LOCAL GOVERNMENT WITHIN THIS STATE.

32 (E) “EMERGENCY MANAGEMENT ASSISTANCE COMPACT” MEANS THE  
33 INTERSTATE COMPACT APPROVED BY THE UNITED STATES CONGRESS BY  
34 PUBLIC LAW 104–321, 110 STAT. 3877.

1           (F) **“HEALTH FACILITY” MEANS AN ENTITY LICENSED UNDER THE LAWS**  
2 **OF THIS STATE OR ANOTHER STATE TO PROVIDE HEALTH OR VETERINARY**  
3 **SERVICES.**

4           (G) **“HEALTH PRACTITIONER” MEANS AN INDIVIDUAL LICENSED UNDER**  
5 **THE LAWS OF THIS STATE OR ANOTHER STATE TO PROVIDE HEALTH OR**  
6 **VETERINARY SERVICES.**

7           (H) **“HEALTH SERVICES” MEANS THE PROVISION OF TREATMENT, CARE,**  
8 **ADVICE, GUIDANCE, OTHER SERVICES, OR SUPPLIES, RELATED TO THE HEALTH**  
9 **OR DEATH OF INDIVIDUALS OR HUMAN POPULATIONS, TO THE EXTENT**  
10 **NECESSARY TO RESPOND TO AN EMERGENCY, INCLUDING:**

11                   (1) **THE FOLLOWING, CONCERNING THE PHYSICAL OR MENTAL**  
12 **CONDITION OR FUNCTIONAL STATUS OF AN INDIVIDUAL OR AFFECTING THE**  
13 **STRUCTURE OR FUNCTION OF THE BODY:**

14                           (I) **PREVENTIVE,                   DIAGNOSTIC,                   THERAPEUTIC,**  
15 **REHABILITATIVE, MAINTENANCE, OR PALLIATIVE CARE; AND**

16                           (II) **COUNSELING, ASSESSMENT, PROCEDURES, OR OTHER**  
17 **SERVICES;**

18                   (2) **SALE OR DISPENSING OF A DRUG, A DEVICE, EQUIPMENT, OR**  
19 **ANOTHER ITEM TO AN INDIVIDUAL IN ACCORDANCE WITH A PRESCRIPTION; AND**

20                   (3) **FUNERAL, CREMATION, CEMETERY, OR OTHER MORTUARY**  
21 **SERVICES.**

22           (I) **“HOST ENTITY” MEANS AN ENTITY OPERATING IN THE STATE THAT**  
23 **USES VOLUNTEER HEALTH PRACTITIONERS TO RESPOND TO AN EMERGENCY.**

24           (J) (1) **“LICENSE” MEANS AUTHORIZATION BY A STATE TO ENGAGE**  
25 **IN HEALTH OR VETERINARY SERVICES THAT ARE UNLAWFUL WITHOUT THE**  
26 **AUTHORIZATION.**

27                   (2) **“LICENSE” INCLUDES AUTHORIZATION UNDER THE LAWS OF**  
28 **THIS STATE TO AN INDIVIDUAL TO PROVIDE HEALTH OR VETERINARY SERVICES**  
29 **BASED ON A NATIONAL CERTIFICATION ISSUED BY A PUBLIC OR PRIVATE**  
30 **ENTITY.**

31           (K) **“SCOPE OF PRACTICE” MEANS THE EXTENT OF THE**  
32 **AUTHORIZATION TO PROVIDE HEALTH OR VETERINARY SERVICES GRANTED TO**

1 A HEALTH PRACTITIONER BY A LICENSE ISSUED TO THE PRACTITIONER IN THE  
2 STATE IN WHICH THE PRINCIPAL PART OF THE PRACTITIONER'S SERVICES ARE  
3 RENDERED, INCLUDING ANY CONDITIONS IMPOSED BY THE LICENSING  
4 AUTHORITY.

5 (L) "VETERINARY SERVICES" MEANS THE PROVISION OF TREATMENT,  
6 CARE, ADVICE, GUIDANCE, OTHER SERVICES, OR SUPPLIES, RELATED TO THE  
7 HEALTH OR DEATH OF AN ANIMAL OR TO ANIMAL POPULATIONS, TO THE  
8 EXTENT NECESSARY TO RESPOND TO AN EMERGENCY, INCLUDING:

9 (1) DIAGNOSIS, TREATMENT, OR PREVENTION OF AN ANIMAL  
10 DISEASE, INJURY, OR OTHER PHYSICAL OR MENTAL CONDITION BY THE  
11 PRESCRIPTION, ADMINISTRATION, OR DISPENSING OF VACCINE, MEDICINE,  
12 SURGERY, OR THERAPY;

13 (2) USE OF A PROCEDURE FOR REPRODUCTIVE MANAGEMENT;  
14 AND

15 (3) MONITORING AND TREATMENT OF ANIMAL POPULATIONS FOR  
16 DISEASES THAT HAVE SPREAD OR DEMONSTRATE THE POTENTIAL TO SPREAD  
17 TO HUMANS.

18 (M) (1) "VOLUNTEER HEALTH PRACTITIONER" MEANS A HEALTH  
19 PRACTITIONER WHO PROVIDES HEALTH OR VETERINARY SERVICES, WHETHER  
20 OR NOT THE PRACTITIONER RECEIVES COMPENSATION FOR THOSE SERVICES.

21 (2) "VOLUNTEER HEALTH PRACTITIONER" DOES NOT INCLUDE A  
22 PRACTITIONER WHO RECEIVES COMPENSATION UNDER A PREEXISTING  
23 EMPLOYMENT RELATIONSHIP WITH A HOST ENTITY OR AFFILIATE THAT  
24 REQUIRES THE PRACTITIONER TO PROVIDE HEALTH SERVICES IN THIS STATE,  
25 UNLESS THE PRACTITIONER IS NOT A RESIDENT OF THIS STATE AND IS  
26 EMPLOYED BY A DISASTER RELIEF ORGANIZATION PROVIDING SERVICES IN  
27 THIS STATE WHILE AN EMERGENCY DECLARATION IS IN EFFECT.

28 **1-702.**

29 THIS SUBTITLE APPLIES TO VOLUNTEER HEALTH PRACTITIONERS WHO:

30 (1) ARE REGISTERED WITH A REGISTRATION SYSTEM THAT  
31 COMPLIES WITH § 1-704 OF THIS SUBTITLE; AND

32 (2) PROVIDE HEALTH OR VETERINARY SERVICES IN THE STATE  
33 FOR A HOST ENTITY WHILE AN EMERGENCY DECLARATION IS IN EFFECT.

1 **1-703.**

2 (A) WHILE AN EMERGENCY DECLARATION IS IN EFFECT, THE  
3 MARYLAND EMERGENCY MANAGEMENT AGENCY OR THE OFFICE OF  
4 PREPAREDNESS AND RESPONSE, MAY LIMIT, RESTRICT, OR OTHERWISE  
5 REGULATE:

6 (1) THE DURATION OF PRACTICE BY A VOLUNTEER HEALTH  
7 PRACTITIONER;

8 (2) THE GEOGRAPHICAL AREAS IN WHICH A VOLUNTEER HEALTH  
9 PRACTITIONER MAY PRACTICE;

10 (3) THE TYPES OF VOLUNTEER HEALTH PRACTITIONERS WHO  
11 MAY PRACTICE; AND

12 (4) ANY OTHER MATTER NECESSARY TO COORDINATE  
13 EFFECTIVELY THE PROVISION OF HEALTH OR VETERINARY SERVICES DURING  
14 THE EMERGENCY.

15 (B) AN ORDER ISSUED UNDER SUBSECTION (A) OF THIS SECTION MAY  
16 TAKE EFFECT IMMEDIATELY, WITHOUT PRIOR NOTICE OR COMMENT, AND IS  
17 NOT A REGULATION UNDER THE STATE ADMINISTRATIVE PROCEDURE ACT.

18 (C) A HOST ENTITY THAT USES VOLUNTEER HEALTH PRACTITIONERS  
19 TO PROVIDE HEALTH OR VETERINARY SERVICES IN THE STATE SHALL:

20 (1) CONSULT AND COORDINATE ITS ACTIVITIES WITH THE  
21 MARYLAND EMERGENCY MANAGEMENT AGENCY OR THE OFFICE OF  
22 PREPAREDNESS AND RESPONSE TO THE EXTENT PRACTICABLE TO PROVIDE  
23 FOR THE EFFICIENT AND EFFECTIVE USE OF VOLUNTEER HEALTH  
24 PRACTITIONERS; AND

25 (2) COMPLY WITH ANY OTHER LAWS RELATING TO THE  
26 MANAGEMENT OF EMERGENCY HEALTH OR VETERINARY SERVICES.

27 **1-704.**

28 (A) TO QUALIFY AS A VOLUNTEER HEALTH PRACTITIONER  
29 REGISTRATION SYSTEM, A SYSTEM SHALL:

30 (1) ACCEPT APPLICATIONS FOR THE REGISTRATION OF  
31 VOLUNTEER HEALTH PRACTITIONERS BEFORE OR DURING AN EMERGENCY;

1           **(2) INCLUDE INFORMATION ABOUT THE LICENSURE AND GOOD**  
2 **STANDING OF HEALTH PRACTITIONERS THAT IS ACCESSIBLE BY AUTHORIZED**  
3 **PERSONS;**

4           **(3) BE CAPABLE OF CONFIRMING THE ACCURACY OF**  
5 **INFORMATION CONCERNING WHETHER A HEALTH PRACTITIONER IS LICENSED**  
6 **AND IN GOOD STANDING BEFORE HEALTH SERVICES OR VETERINARY SERVICES**  
7 **ARE PROVIDED UNDER THIS SUBTITLE; AND**

8           **(4) MEET ONE OF THE FOLLOWING CONDITIONS:**

9           **(I) BE AN EMERGENCY SYSTEM FOR ADVANCE**  
10 **REGISTRATION OF VOLUNTEER HEALTH CARE PRACTITIONERS ESTABLISHED BY**  
11 **A STATE AND FUNDED THROUGH THE U. S. DEPARTMENT OF HEALTH AND**  
12 **HUMAN SERVICES UNDER § 319I OF THE PUBLIC HEALTH SERVICES ACT, 42**  
13 **U.S.C. § 247D-7B;**

14           **(II) BE A LOCAL UNIT CONSISTING OF TRAINED AND**  
15 **EQUIPPED EMERGENCY RESPONSE, PUBLIC HEALTH, AND MEDICAL PERSONNEL**  
16 **FORMED UNDER § 2801 OF THE PUBLIC HEALTH SERVICES ACT, 42 U.S.C. §**  
17 **300HH;**

18           **(III) BE OPERATED BY A:**

19                   **1. DISASTER RELIEF ORGANIZATION;**  
20                   **2. LICENSING BOARD;**  
21                   **3. NATIONAL OR REGIONAL ASSOCIATION OF**  
22 **LICENSING BOARDS OR HEALTH PRACTITIONERS;**

23                   **4. HEALTH FACILITY THAT PROVIDES**  
24 **COMPREHENSIVE INPATIENT AND OUTPATIENT HEALTH CARE SERVICES,**  
25 **INCLUDING A TERTIARY CARE, TEACHING HOSPITAL, OR ACUTE CARE FACILITY;**  
26 **OR**

27                   **5. GOVERNMENTAL ENTITY; OR**

28           **(IV) BE DESIGNATED BY THE MARYLAND EMERGENCY**  
29 **MANAGEMENT AGENCY OR THE OFFICE OF PREPAREDNESS AND RESPONSE AS**  
30 **A REGISTRATION SYSTEM FOR PURPOSES OF THIS SUBTITLE.**

31           **(B) (1) WHILE AN EMERGENCY DECLARATION IS IN EFFECT, THE**  
32 **MARYLAND EMERGENCY MANAGEMENT AGENCY OR THE OFFICE OF**

1 **PREPAREDNESS AND RESPONSE, A PERSON AUTHORIZED TO ACT ON BEHALF OF**  
2 **THE MARYLAND EMERGENCY MANAGEMENT AGENCY OR THE OFFICE OF**  
3 **PREPAREDNESS AND RESPONSE, OR A HOST ENTITY, MAY CONFIRM WHETHER**  
4 **VOLUNTEER HEALTH PRACTITIONERS USED IN THIS STATE ARE REGISTERED**  
5 **WITH A REGISTRATION SYSTEM THAT COMPLIES WITH SUBSECTION (A) OF THIS**  
6 **SECTION.**

7 (2) **THE CONFIRMATION OBTAINED UNDER SUBSECTION (A) OF**  
8 **THIS SECTION IS LIMITED TO OBTAINING THE IDENTITIES OF PRACTITIONERS**  
9 **FROM THE SYSTEM AND DETERMINING WHETHER THE SYSTEM INDICATES THAT**  
10 **THE PRACTITIONERS ARE LICENSED AND IN GOOD STANDING.**

11 (C) **ON REQUEST OF A PERSON IN THIS STATE AUTHORIZED UNDER**  
12 **SUBSECTION (B) OF THIS SECTION, OR A SIMILARLY AUTHORIZED PERSON IN**  
13 **ANOTHER STATE, A REGISTRATION SYSTEM LOCATED IN THIS STATE SHALL**  
14 **NOTIFY THE PERSON OF THE IDENTITIES OF VOLUNTEER HEALTH**  
15 **PRACTITIONERS AND WHETHER THE PRACTITIONERS ARE LICENSED AND IN**  
16 **GOOD STANDING.**

17 (D) **A HOST ENTITY IS NOT REQUIRED TO USE THE SERVICES OF A**  
18 **VOLUNTEER HEALTH PRACTITIONER EVEN IF THE PRACTITIONER IS**  
19 **REGISTERED WITH A REGISTRATION SYSTEM THAT INDICATES THAT THE**  
20 **PRACTITIONER IS LICENSED AND IN GOOD STANDING.**

21 **1-705.**

22 (A) **WHILE AN EMERGENCY DECLARATION IS IN EFFECT, A VOLUNTEER**  
23 **HEALTH PRACTITIONER, REGISTERED WITH A REGISTRATION SYSTEM THAT**  
24 **COMPLIES WITH § 1-704 OF THIS SUBTITLE AND LICENSED AND IN GOOD**  
25 **STANDING IN THE STATE ON WHICH THE PRACTITIONER'S REGISTRATION IS**  
26 **BASED, MAY PRACTICE IN THIS STATE TO THE EXTENT AUTHORIZED BY THIS**  
27 **SUBTITLE AS IF THE PRACTITIONER WERE LICENSED IN THIS STATE.**

28 (B) **A VOLUNTEER HEALTH PRACTITIONER QUALIFIED UNDER**  
29 **SUBSECTION (A) OF THIS SECTION IS NOT ENTITLED TO THE PROTECTIONS OF**  
30 **THIS SUBTITLE IF THE PRACTITIONER IS LICENSED IN MORE THAN ONE STATE**  
31 **AND ANY LICENSE OF THE PRACTITIONER IS SUSPENDED, REVOKED, OR**  
32 **SUBJECT TO AN AGENCY ORDER LIMITING OR RESTRICTING PRACTICE**  
33 **PRIVILEGES, OR HAS BEEN VOLUNTARILY TERMINATED UNDER THREAT OF**  
34 **SANCTION.**

35 **1-706.**

1           (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
2 MEANINGS INDICATED.

3           (2) "CREDENTIALING" MEANS OBTAINING, VERIFYING, AND  
4 ASSESSING THE QUALIFICATIONS OF A HEALTH PRACTITIONER TO PROVIDE  
5 TREATMENT, CARE, OR SERVICES IN OR FOR A HEALTH FACILITY.

6           (3) "PRIVILEGING" MEANS THE AUTHORIZING BY AN  
7 APPROPRIATE AUTHORITY, INCLUDING A GOVERNING BODY, OF A HEALTH  
8 PRACTITIONER TO PROVIDE SPECIFIC TREATMENT, CARE, OR SERVICES AT A  
9 HEALTH FACILITY SUBJECT TO LIMITS BASED ON FACTORS INCLUDING LICENSE,  
10 EDUCATION, TRAINING, EXPERIENCE, COMPETENCE, HEALTH STATUS, AND  
11 SPECIALIZED SKILL.

12           (B) THIS SUBTITLE DOES NOT AFFECT CREDENTIALING OR  
13 PRIVILEGING STANDARDS OF A HEALTH FACILITY AND DOES NOT PRECLUDE A  
14 HEALTH FACILITY FROM WAIVING OR MODIFYING THOSE STANDARDS WHILE AN  
15 EMERGENCY DECLARATION IS IN EFFECT.

16 **1-707.**

17           (A) SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, A  
18 VOLUNTEER HEALTH PRACTITIONER SHALL ADHERE TO THE SCOPE OF  
19 PRACTICE FOR A SIMILARLY LICENSED PRACTITIONER ESTABLISHED BY THE  
20 LICENSING PROVISIONS, PRACTICE ACTS, OR OTHER LAWS OF THIS STATE.

21           (B) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (C) OF THIS  
22 SECTION, THIS SUBTITLE DOES NOT AUTHORIZE A VOLUNTEER HEALTH  
23 PRACTITIONER TO PROVIDE SERVICES THAT ARE OUTSIDE THE PRACTITIONER'S  
24 SCOPE OF PRACTICE, EVEN IF A SIMILARLY LICENSED PRACTITIONER IN THIS  
25 STATE WOULD BE PERMITTED TO PROVIDE THE SERVICES.

26           (C) (1) THE APPROPRIATE STATE LICENSING BOARD MAY MODIFY OR  
27 RESTRICT THE HEALTH OR VETERINARY SERVICES THAT VOLUNTEER HEALTH  
28 PRACTITIONERS MAY PROVIDE UNDER THIS SUBTITLE.

29           (2) AN ORDER UNDER THIS SUBSECTION MAY TAKE EFFECT  
30 IMMEDIATELY, WITHOUT PRIOR NOTICE OR COMMENT, AND IS NOT A  
31 REGULATION UNDER THE STATE ADMINISTRATIVE PROCEDURE ACT.

32           (D) A HOST ENTITY MAY RESTRICT THE HEALTH OR VETERINARY  
33 SERVICES THAT A VOLUNTEER HEALTH PRACTITIONER MAY PROVIDE UNDER  
34 THIS SUBTITLE.



1           **(E) (1) A VOLUNTEER HEALTH PRACTITIONER DOES NOT ENGAGE IN**  
2 **UNAUTHORIZED PRACTICE UNLESS THE PRACTITIONER HAS REASON TO KNOW:**

3                   **(I) OF ANY LIMITATION, MODIFICATION, OR RESTRICTION**  
4 **UNDER THIS SUBTITLE; OR**

5                   **(II) THAT A SIMILARLY LICENSED PRACTITIONER IN THIS**  
6 **STATE WOULD NOT BE PERMITTED TO PROVIDE THE SERVICES.**

7           **(2) A VOLUNTEER HEALTH PRACTITIONER HAS REASON TO KNOW**  
8 **OF A LIMITATION, MODIFICATION, OR RESTRICTION OR THAT A SIMILARLY**  
9 **LICENSED PRACTITIONER IN THIS STATE WOULD NOT BE PERMITTED TO**  
10 **PROVIDE A SERVICE IF:**

11                   **(I) THE PRACTITIONER KNOWS THE LIMITATION,**  
12 **MODIFICATION, OR RESTRICTION EXISTS OR THAT A SIMILARLY LICENSED**  
13 **PRACTITIONER IN THIS STATE WOULD NOT BE PERMITTED TO PROVIDE THE**  
14 **SERVICE; OR**

15                   **(II) FROM ALL OF THE FACTS AND CIRCUMSTANCES KNOWN**  
16 **TO THE PRACTITIONER AT THE RELEVANT TIME, A REASONABLE PERSON**  
17 **WOULD CONCLUDE THAT THE LIMITATION, MODIFICATION, OR RESTRICTION**  
18 **EXISTS OR THAT A SIMILARLY LICENSED PRACTITIONER IN THIS STATE WOULD**  
19 **NOT BE PERMITTED TO PROVIDE THE SERVICE.**

20           **(F) IN ADDITION TO THE AUTHORITY GRANTED BY OTHER LAWS OF THE**  
21 **STATE THAT REGULATE THE CONDUCT OF A HEALTH PRACTITIONER, A**  
22 **LICENSING BOARD OR OTHER DISCIPLINARY AUTHORITY IN THIS STATE:**

23                   **(1) MAY IMPOSE ADMINISTRATIVE SANCTIONS ON A HEALTH**  
24 **PRACTITIONER LICENSED IN THE STATE FOR CONDUCT OUTSIDE OF THE STATE**  
25 **IN RESPONSE TO AN OUT-OF-STATE EMERGENCY;**

26                   **(2) MAY IMPOSE ADMINISTRATIVE SANCTIONS ON A**  
27 **PRACTITIONER NOT LICENSED IN THE STATE FOR CONDUCT IN THE STATE IN**  
28 **RESPONSE TO AN IN-STATE EMERGENCY; AND**

29                   **(3) SHALL REPORT ANY ADMINISTRATIVE SANCTIONS IMPOSED**  
30 **ON A PRACTITIONER LICENSED IN ANOTHER STATE TO THE APPROPRIATE**  
31 **LICENSING BOARD OR OTHER DISCIPLINARY AUTHORITY IN ANY OTHER STATE**  
32 **IN WHICH THE PRACTITIONER IS KNOWN TO BE LICENSED.**

33           **(G) IN DETERMINING WHETHER TO IMPOSE ADMINISTRATIVE**  
34 **SANCTIONS UNDER SUBSECTION (F) OF THIS SECTION, A LICENSING BOARD OR**

1 OTHER DISCIPLINARY AUTHORITY SHALL CONSIDER THE CIRCUMSTANCES IN  
2 WHICH THE CONDUCT TOOK PLACE, INCLUDING ANY EXIGENT CIRCUMSTANCES,  
3 AND THE PRACTITIONER'S SCOPE OF PRACTICE, EDUCATION, TRAINING,  
4 EXPERIENCE, AND SPECIALIZED SKILL.

5 **1-708.**

6 (A) (1) THIS SUBTITLE DOES NOT LIMIT RIGHTS, PRIVILEGES, OR  
7 IMMUNITIES PROVIDED TO VOLUNTEER HEALTH PRACTITIONERS BY ANY OTHER  
8 LAW.

9 (2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (B) OF  
10 THIS SECTION, THIS SUBTITLE DOES NOT AFFECT REQUIREMENTS FOR THE USE  
11 OF HEALTH PRACTITIONERS UNDER THE EMERGENCY MANAGEMENT  
12 ASSISTANCE COMPACT.

13 (B) THE MARYLAND EMERGENCY MANAGEMENT AGENCY OR THE  
14 OFFICE OF PREPAREDNESS AND RESPONSE, UNDER THE EMERGENCY  
15 MANAGEMENT ASSISTANCE COMPACT, MAY INCORPORATE INTO THE  
16 EMERGENCY FORCES OF THE STATE VOLUNTEER HEALTH PRACTITIONERS WHO  
17 ARE NOT OFFICERS OR EMPLOYEES OF THE STATE, A POLITICAL SUBDIVISION  
18 OF THE STATE, OR A MUNICIPALITY OR OTHER LOCAL GOVERNMENT WITHIN  
19 THE STATE.

20 **1-709.**

21 (A) THE MARYLAND EMERGENCY MANAGEMENT AGENCY, IN  
22 CONSULTATION WITH THE OFFICE OF PREPAREDNESS AND RESPONSE, MAY  
23 ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.

24 (B) WHEN ADOPTING REGULATIONS UNDER SUBSECTION (A) OF THIS  
25 SECTION, THE MARYLAND EMERGENCY MANAGEMENT AGENCY SHALL  
26 CONSULT WITH AND CONSIDER:

27 (1) THE RECOMMENDATIONS OF THE ENTITY ESTABLISHED TO  
28 COORDINATE THE IMPLEMENTATION OF THE EMERGENCY MANAGEMENT  
29 ASSISTANCE COMPACT; AND

30 (2) RULES ADOPTED BY SIMILARLY EMPOWERED AGENCIES IN  
31 OTHER STATES TO PROMOTE UNIFORMITY OF APPLICATION OF THIS SUBTITLE  
32 AND MAKE THE EMERGENCY RESPONSE SYSTEMS IN THE VARIOUS STATES  
33 REASONABLY COMPATIBLE.

34 **1-710.**

1           **IN APPLYING AND CONSTRUING THIS SUBTITLE, CONSIDERATION SHALL**  
2 **BE GIVEN TO THE NEED TO PROMOTE UNIFORMITY OF THE LAW WITH RESPECT**  
3 **TO ITS SUBJECT MATTER AMONG STATES THAT ENACT IT.**

4           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2008.