

Department of Legislative Services  
Maryland General Assembly  
2008 Session

FISCAL AND POLICY NOTE

House Bill 961 (Delegate Stein, *et al.*)  
Health and Government Operations

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State Board of Examiners of Psychologists - Discipline of Licensees - Disclosure  
of Information

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This bill requires the Board of Examiners of Psychologists to disclose any exculpatory information to a licensee or a licensee's attorney before the board can hold a hearing for the purpose of determining whether or not disciplinary action should be taken. In addition, all the information in the file of the licensee regarding a complaint or charges against the licensee has to be disclosed to the licensee. Finally, any document about the complaint or charges against a licensee has to be disclosed to an individual who provides psychologist peer review for cases related to unprofessional conduct or inconsistently applying generally accepted professional standards in the practice of psychology.

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Fiscal Summary

**State Effect:** The bill's requirements could be handled with existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** Before the board takes any disciplinary action against an individual, the individual against whom an action is contemplated has to be given an opportunity for a hearing before the board. The individual can be represented at the hearing by counsel. Grounds for disciplinary action are specified in statute and include • fraudulently or deceptively using a license; • submitting a false statement to collect a fee; or • being professionally, physically, or mentally incompetent.

**Background:** In 2007, the board investigated 54 complaints and took disciplinary action on 6 of those complaints.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Office of Administrative Hearings, Department of Health and Mental Hygiene, Department of Legislative Services

**Fiscal Note History:** First Reader - March 3, 2008  
ncs/ljm

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