

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

Senate Bill 884 (Senators Garagiola and McFadden)
Education, Health, and Environmental Affairs

**Health Occupations - Complementary Alternative Medicine Health Care
Providers - Scope of Practice**

This bill exempts alternative health care providers from the Maryland Medical Practice Act if the provider follows specific guidelines and requires each individual to which services are rendered to sign a declaration of informed consent that

- describes the health care provider's education, training, and experience;
- clearly states that the health care provider is not an M.D. or a D.O who is licensed to practice medicine in the State;
- treatment provided to the individual is an alternative or complementary treatment to any other health care services that are licensed by the State;
- describes the nature of the services to be provided and the theory of treatment on which the services are based; and
- the services being provided to the individual are not licensed by the State.

Fiscal Summary

State Effect: The bill would not directly affect governmental finances.

Local Effect: None.

Small Business Effect: Potential minimal.

Analysis

Current Law: The Maryland Medical Practice Act sets forth the laws governing the licensure of physicians and the practice of medicine in the State. The Act authorizes and regulates the State Board of Physicians and specifically defines the acts that constitute the practice of medicine. In addition, the Act sets forth

- the licensing scheme for

physicians; • prohibited acts; • disciplinary actions; and • specific regulations for specialized types of health care providers including respiratory care practitioners, nuclear medicine technologists, and polysomnographic technologists.

Christian Science practitioners who are accredited by the First Church of Christ, Scientist, in Boston, Massachusetts who deal with human ills in accordance with the tenets of Christian Science and charge for services are exempted from the Maryland Medical Practice Act. In addition, a licensed dentist who has administered anesthesia regularly in hospitals in this State for at least 15 years before June 1, 1962 is also exempted when practicing anesthesiology or administering anesthesia for medical purposes.

Background: According to the National Institutes of Health, complementary and alternative medicine is a group of diverse medical and health care systems, practices, and products that are not considered to be part of conventional medicine. Some health care providers practice both CAM and conventional medicine. In the United States, 36% of adults were using some form of CAM in 2002.

Additional Information

Prior Introductions: None.

Cross File: HB 730 (Delegate Feldman, *et al.*) – Health and Government Operations.

Information Source(s): Department of Health and Mental Hygiene, National Institutes of Health, Department of Legislative Services

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

Analysis by: Sarah K. Harvey

Direct Inquiries to:
(410) 946-5510
(301) 970-5510