

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

House Bill 1110 (Delegate Bromwell)
Health and Government Operations

State Board of Physicians - Discipline - Failure to Comply with Governor's Order

This bill authorizes the State Board of Physicians to take disciplinary action against a licensed physician who, during a catastrophic health emergency, knowingly and willfully fails to comply with a Governor's order to participate in disease surveillance, treatment, and suppression efforts, or with the directives of the Secretary of Health and Mental Hygiene or other designated official. The bill exempts a licensed physician who knowingly and willingly fails to comply with certain Governor's orders from fines and prison sentences imposed on other persons who knowingly and willfully violate such an order.

Fiscal Summary

State Effect: The bill is not expected to materially affect State finances.

Local Effect: None.

Small Business Effect: Potential minimal.

Analysis

Current Law: In the event that the Governor issues a catastrophic health emergency proclamation, he or she may order any health care provider who does not voluntarily do so, to participate in disease surveillance, treatment, and suppression efforts or otherwise comply with the directives of the Secretary or other designated official. A person may not knowingly and willfully fail to comply with such an order. Violators are subject to imprisonment of up to one year and/or a fine of up to \$5,000.

Subject to statutory provisions requiring hearings, and the affirmative vote of a majority of a quorum, the State Board of Physicians may reprimand a licensee, place any licensee on probation, or suspend or revoke a license if a licensee is found guilty of specified offenses.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Governor's Office, Department of Health and Mental Hygiene, Judiciary (Administrative Office of the Courts), Office of Administrative Hearings, Department of Legislative Services

Fiscal Note History: First Reader - March 16, 2009
mlm/mcr

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