

# SENATE BILL 402

J2, C4  
SB 882/09 – EHE

0lr1492

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By: **Senators Klausmeier, Conway, Currie, Mooney, and Stone**  
Introduced and read first time: January 29, 2010  
Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Physicians – Professional Liability Insurance Coverage – Notification and**  
3 **Posting Requirements**

4 FOR the purpose of requiring physicians licensed to practice medicine in the State to  
5 notify patients in writing and on each visit of certain information relating to  
6 professional liability insurance coverage; requiring a certain notification to be  
7 signed by a patient at a certain time and retained by a physician as part of the  
8 physician's patient records; requiring certain physicians to post certain  
9 information in their place of practice; requiring the Board of Physicians to  
10 devise certain language for certain notice requirements; and generally relating  
11 to physicians and professional liability insurance.

12 BY adding to  
13 Article – Health Occupations  
14 Section 14–508  
15 Annotated Code of Maryland  
16 (2009 Replacement Volume)

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

19 **Article – Health Occupations**

20 **14–508.**

21 **(A) EACH LICENSEE PRACTICING MEDICINE IN THE STATE SHALL**  
22 **NOTIFY A PATIENT IN WRITING AND ON EACH VISIT IF:**

23 **(1) THE LICENSEE DOES NOT MAINTAIN PROFESSIONAL**  
24 **LIABILITY INSURANCE COVERAGE; OR**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1           **(2) THE LICENSEE'S PROFESSIONAL LIABILITY INSURANCE**  
2 **COVERAGE HAS LAPSED FOR ANY PERIOD OF TIME AND THE LICENSEE'S**  
3 **COVERAGE HAS NOT BEEN RENEWED.**

4           **(B) THE WRITTEN NOTIFICATION PROVIDED TO THE PATIENT UNDER**  
5 **SUBSECTION (A) OF THIS SECTION MUST BE:**

6           **(1) SIGNED BY THE PATIENT AT THE TIME OF THE PATIENT'S**  
7 **VISIT; AND**

8           **(2) RETAINED BY THE LICENSEE AS PART OF THE LICENSEE'S**  
9 **PATIENT RECORDS.**

10           **(C) EACH LICENSEE PRACTICING MEDICINE IN THE STATE WHO DOES**  
11 **NOT MAINTAIN PROFESSIONAL LIABILITY INSURANCE COVERAGE MUST**  
12 **CONSPICUOUSLY POST SUCH INFORMATION IN THE LICENSEE'S PLACE OF**  
13 **PRACTICE.**

14           SECTION 2. AND BE IT FURTHER ENACTED, That the Board of Physicians  
15 shall devise appropriate language for the notification requirements provided for in this  
16 Act.

17           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2010.