

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

House Bill 627 (Delegate Nathan-Pulliam, *et al.*)
Health and Government Operations

Health Occupations Boards and Committees - Consumer Member Requirements

This bill standardizes requirements for consumer members of health occupation boards and committees. It requires any consumer member of a health occupations board or committee to be a member of the general public. A consumer member and a member of the consumer member's household may not (1) be or have ever been a health care professional or be in training to be a health care professional; or (2) participate or ever have participated in a commercial or professional field related to the board or committee's jurisdiction. Additionally a consumer member may not have, or have had within two years before appointment, a substantial financial interest in a person regulated by the board or committee.

Fiscal Summary

State Effect: None. The change in consumer member requirements is technical in nature and does not directly affect governmental finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Health occupations boards are generally charged with licensing, certifying, and regulating health professionals in a particular health care specialty or area of health care practice defined in law.

Each of the 18 health occupations boards is relatively autonomous and has defined in statute general procedures for the investigation of complaints, as well as the hearing and review process. While grounds on which a license can be denied, revoked, or suspended are relatively uniform from board to board, procedures for disciplinary action vary a great deal and are further defined in regulations.

All of the boards operate through special funds, with the exception of the State Board of Examiners of Nursing Home Administrators, which is the only health occupations board that is general funded.

Each board has anywhere from two to five consumer members. In addition each of the 18 boards has its own requirements for its consumer members. The majority of boards require a consumer member to be from the general public. Most boards prohibit:

- a consumer member from being a health care professional or training to become a health care professional that falls under the board's jurisdiction;
- a consumer member from having a household member who is a health professional or is training to be a health professional related to the board's jurisdiction;
- a consumer member and their household member from participating in a commercial field related to the board's jurisdiction.

Furthermore, many boards do not permit a consumer member to have, or have had, a substantial financial interest in a person regulated by the board within two years before their appointment. Similar stipulations exist for a consumer member that serves on a board or committee.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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