

# HOUSE BILL 287

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11r0534  
CF 11r0826

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By: **Delegate Pena–Melnik**

Introduced and read first time: February 1, 2011

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Perfusion Act**

3 FOR the purpose of requiring the State Board of Physicians to adopt regulations for  
4 the licensure and practice of perfusion; providing that this Act does not limit the  
5 rights of certain individuals to practice certain occupations; authorizing the  
6 Board to set certain fees; establishing the Perfusion Advisory Committee within  
7 the Board; providing for the membership, powers, and duties of the Committee;  
8 establishing the terms and requirements for certain members of the Committee;  
9 requiring that on or before a certain date an individual be licensed by the Board  
10 before the individual may practice perfusion; providing that certain licensing  
11 provisions do not apply to students practicing perfusion under certain  
12 circumstances; providing for the qualifications for a license to practice  
13 perfusion; providing that certain applicants who qualify for a license under  
14 certain circumstances are entitled to be licensed for a single term; providing for  
15 the scope of a license to practice perfusion; providing for the issuance,  
16 expiration, and renewal of certain licenses; authorizing the Board to deny a  
17 license to an applicant, refuse to renew a license, reprimand a licensee, suspend  
18 or revoke a license, or impose certain penalties under certain circumstances;  
19 establishing certain hearing and appeal procedures for licensed perfusionists;  
20 prohibiting certain acts; providing for certain criminal and civil penalties;  
21 establishing certain reporting requirements; requiring that an evaluation of the  
22 Committee be performed on or before a certain date; providing for the waiver of  
23 certain licensure requirements under certain circumstances; requiring that  
24 initial perfusionist members of the Committee apply for and receive a license  
25 within a certain period of time; specifying the terms of the initial members of  
26 the Committee; defining certain terms; providing for the termination of certain  
27 provisions of this Act; and generally relating to the regulation and licensure of  
28 perfusion.

29 BY renumbering

30 Article – State Government

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 8–403(b)(46) through (68), respectively  
2 to be Section 8–403(b)(47) through (69), respectively  
3 Annotated Code of Maryland  
4 (2009 Replacement Volume and 2010 Supplement)

5 BY adding to  
6 Article – Health Occupations  
7 Section 14–5E–01 through 14–5E–26 to be under the new subtitle “Subtitle 5E.  
8 Perfusionists”  
9 Annotated Code of Maryland  
10 (2009 Replacement Volume and 2010 Supplement)

11 BY repealing and reenacting, without amendments,  
12 Article – State Government  
13 Section 8–403(a)  
14 Annotated Code of Maryland  
15 (2009 Replacement Volume and 2010 Supplement)

16 BY adding to  
17 Article – State Government  
18 Section 8–403(b)(46)  
19 Annotated Code of Maryland  
20 (2009 Replacement Volume and 2010 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That Section(s) 8–403(b)(46) through (68), respectively, of Article – State  
23 Government of the Annotated Code of Maryland be renumbered to be Section(s)  
24 8–403(b)(47) through (69), respectively.

25 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
26 read as follows:

27 **Article – Health Occupations**

28 **SUBTITLE 5E. PERFUSIONISTS.**

29 **14–5E–01.**

30 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
31 **INDICATED.**

32 **(B) “BOARD” MEANS THE STATE BOARD OF PHYSICIANS.**

33 **(C) “COMMITTEE” MEANS THE PERFUSION ADVISORY COMMITTEE**  
34 **ESTABLISHED UNDER § 14–5E–05 OF THIS SUBTITLE.**

1           (D) “LICENSE” MEANS A LICENSE ISSUED BY THE BOARD TO PRACTICE  
2 PERFUSION.

3           (E) “LICENSED PERFUSIONIST” MEANS A PERFUSIONIST WHO IS  
4 LICENSED BY THE BOARD UNDER THIS SUBTITLE TO PRACTICE PERFUSION.

5           (F) (1) “PRACTICE PERFUSION” MEANS TO PERFORM THE  
6 FUNCTIONS NECESSARY FOR THE SUPPORT, TREATMENT, MEASUREMENT, OR  
7 SUPPLEMENTATION OF THE CARDIOVASCULAR, CIRCULATORY, OR  
8 RESPIRATORY SYSTEMS, OR OTHER ORGANS TO ENSURE THE SAFE  
9 MANAGEMENT OF PHYSIOLOGIC FUNCTIONS BY MONITORING AND ANALYZING  
10 THE PARAMETERS OF THE SYSTEMS UNDER AN ORDER AND THE SUPERVISION  
11 OF A LICENSED PHYSICIAN.

12                   (2) “PRACTICE PERFUSION” INCLUDES:

13                           (I) CARDIOPULMONARY BYPASS FOR ADULT, PEDIATRIC,  
14 AND NEONATAL PATIENTS;

15                           (II) EXTRACORPOREAL CIRCULATORY SUPPORT FOR  
16 RENAL, NEUROLOGICAL, HEPATIC, AND VASCULAR SURGERY;

17                           (III) EXTRACORPOREAL RESUSCITATION;

18                           (IV) EXTRACORPOREAL CIRCULATION FOR LONG-TERM  
19 SUPPORT OF FAILING RESPIRATORY OR CARDIAC FUNCTION;

20                           (V) EXTRACORPOREAL MEMBRANE OXYGENATION;

21                           (VI) EXTRACORPOREAL CARBON DIOXIDE REMOVAL;

22                           (VII) MYOCARDIAL PROTECTION;

23                           (VIII) PERFUSION-ASSISTED DIRECT CORONARY ARTERY  
24 BYPASS;

25                           (IX) HEMOFILTRATION AND HEMODIALYSIS;

26                           (X) ANTICOAGULATION AND HEMOSTASIS MONITORING,  
27 ANALYSIS, AND INTERVENTION;

28                           (XI) THERMAL REGULATION;

1                   **(XII) BLOOD GAS AND BLOOD CHEMISTRY MONITORING,**  
2 **ANALYSIS, AND INTERVENTION;**

3                   **(XIII) PHYSIOLOGICAL MONITORING, ANALYSIS, AND**  
4 **INTERVENTION;**

5                   **(XIV) ADMINISTRATION OF BLOOD COMPONENTS,**  
6 **PHARMACEUTICALS, AND ANESTHETIC AGENTS;**

7                   **(XV) VENTRICULAR ASSIST DEVICE AND MECHANICAL**  
8 **CIRCULATORY SUPPORT MANAGEMENT;**

9                   **(XVI) INTRA-AORTIC BALLOON COUNTERPULSATION;**

10                   **(XVII) TEMPORARY PACEMAKER MANAGEMENT;**

11                   **(XVIII) PERIODIC FLOW AUGMENTATION THERAPY;**

12                   **(XIX) AUTOTRANSFUSION;**

13                   **(XX) PLATELET GEL PRODUCTION, AUTOLOGOUS HEMOCYTE**  
14 **TISSUE MATRIX PRODUCTION;**

15                   **(XXI) NONDIFFERENTIATED PROGENITOR CELL HARVEST**  
16 **BONE MARROW ASPIRATE CONCENTRATE;**

17                   **(XXII) ACUTE NORMOVOLIC HEMODILUTION;**

18                   **(XXIII) ISOLATED LIMB OR ORGAN DELIVERY OF**  
19 **CHEMOTHERAPEUTICS, PROGENITOR CELLS, GENE THERAPY VECTORS, AND**  
20 **OTHER ITEMS;**

21                   **(XXIV) ORGAN PROCUREMENT AND PRESERVATION;**

22                   **(XXV) THERMOGENIC LAVAGE;**

23                   **(XXVI) ELECTROPHYSIOLOGICAL ANALYSIS;**

24                   **(XXVII) THERAPEUTIC HYPERTHERMIA;**

25                   **(XXVIII) INTRAVASCULAR MEMBRANE OXYGENATION; AND**

26                   **(XXIX) RENAL PERFUSION.**

1           (G) “STUDENT” MEANS AN INDIVIDUAL WHO, IN ACCORDANCE WITH §  
2 14-5E-09(C) OF THIS SUBTITLE, IS:

3           (1) ENROLLED IN AN ACCREDITED EDUCATIONAL PROGRAM TO  
4 QUALIFY FOR A LICENSE UNDER THIS SUBTITLE; AND

5           (2) PERFORMING PERFUSION SERVICES WITHIN THE  
6 ACCREDITED PROGRAM UNDER THE SUPERVISION OF A LICENSED  
7 PERFUSIONIST AND WITHOUT COMPENSATION.

8           (H) “SUPERVISION” MEANS THE EXERCISE OF DIRECTION BY A  
9 LICENSED PERFUSIONIST WHO IS ON SITE OR IMMEDIATELY AVAILABLE TO  
10 ADEQUATELY ENSURE THE SAFETY AND WELFARE OF CLIENTS DURING THE  
11 COURSE OF PERFUSION.

12 14-5E-02.

13           THIS SUBTITLE DOES NOT LIMIT THE RIGHT OF AN INDIVIDUAL TO  
14 PRACTICE A HEALTH OCCUPATION THAT THE INDIVIDUAL IS AUTHORIZED TO  
15 PRACTICE UNDER THIS ARTICLE.

16 14-5E-03.

17           THE BOARD SHALL ADOPT REGULATIONS FOR THE LICENSURE AND  
18 PRACTICE OF PERFUSION.

19 14-5E-04.

20           (A) (1) THE BOARD SHALL SET REASONABLE FEES FOR THE  
21 ISSUANCE AND RENEWAL OF LICENSES AND OTHER SERVICES IT PROVIDES TO  
22 PERFUSIONISTS.

23           (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS  
24 TO APPROXIMATE THE COST OF MAINTAINING THE LICENSURE PROGRAM AND  
25 THE OTHER SERVICES PROVIDED TO PERFUSIONISTS.

26           (B) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THE  
27 PROVISIONS OF THIS SUBTITLE TO THE COMPTROLLER.

28           (2) THE COMPTROLLER SHALL DISTRIBUTE ALL FEES TO THE  
29 BOARD.

30           (C) THE FEES SHALL BE USED TO COVER THE ACTUAL DOCUMENTED  
31 DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND

1 REGULATORY DUTIES OF THE BOARD AS PROVIDED BY THE PROVISIONS OF  
2 THIS SUBTITLE.

3 **14-5E-05.**

4 **THERE IS A PERFUSION ADVISORY COMMITTEE WITHIN THE BOARD.**

5 **14-5E-06.**

6 **(A) THE COMMITTEE CONSISTS OF FIVE MEMBERS, APPOINTED BY THE**  
7 **BOARD AS FOLLOWS:**

8 **(1) (I) ON OR BEFORE SEPTEMBER 30, 2012, THREE**  
9 **INDIVIDUALS WHO PRACTICE PERFUSION AND WHO:**

10 **1. ARE CERTIFIED BY A NATIONAL CERTIFYING**  
11 **BOARD; AND**

12 **2. HAVE A MINIMUM OF 2 YEARS EXPERIENCE; AND**

13 **(II) ON OR AFTER OCTOBER 1, 2012, THREE LICENSED**  
14 **PERFUSIONISTS;**

15 **(2) ONE PHYSICIAN WHO HAS KNOWLEDGE OF THE PRACTICE OF**  
16 **PERFUSION; AND**

17 **(3) ONE CONSUMER MEMBER.**

18 **(B) THE CONSUMER MEMBER OF THE COMMITTEE:**

19 **(1) SHALL BE A MEMBER OF THE GENERAL PUBLIC;**

20 **(2) MAY NOT PRACTICE OR EVER HAVE PRACTICED PERFUSION**  
21 **OR ANY HEALTH CARE PROFESSION;**

22 **(3) MAY NOT BE OR EVER HAVE BEEN IN TRAINING TO PRACTICE**  
23 **PERFUSION OR ANY OTHER HEALTH CARE PROFESSION;**

24 **(4) MAY NOT HAVE A HOUSEHOLD MEMBER WHO IS A HEALTH**  
25 **CARE PROFESSIONAL OR IS IN TRAINING TO BE A HEALTH CARE PROFESSIONAL;**  
26 **AND**

27 **(5) MAY NOT:**

1           **(I) PARTICIPATE OR EVER HAVE PARTICIPATED IN A**  
2 **COMMERCIAL OR PROFESSIONAL FIELD RELATED TO PERFUSION;**

3           **(II) HAVE A HOUSEHOLD MEMBER WHO PARTICIPATES IN A**  
4 **COMMERCIAL OR PROFESSIONAL FIELD RELATED TO PERFUSION;**

5           **(III) HAVE HAD WITHIN 2 YEARS BEFORE APPOINTMENT A**  
6 **FINANCIAL INTEREST IN A PERSON REGULATED BY THE BOARD; OR**

7           **(IV) HAVE HAD WITHIN 2 YEARS BEFORE APPOINTMENT A**  
8 **FINANCIAL INTEREST IN THE PROVISION OF GOODS OR SERVICES TO**  
9 **PERFUSIONISTS OR TO THE FIELD OF PERFUSION.**

10       **(C) (1) THE TERM OF A MEMBER IS 3 YEARS.**

11           **(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY**  
12 **THE TERMS PROVIDED FOR MEMBERS OF THE COMMITTEE ON OCTOBER 1,**  
13 **2011.**

14           **(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE**  
15 **UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

16           **(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN**  
17 **SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS**  
18 **APPOINTED AND QUALIFIES.**

19       **(D) FROM AMONG ITS MEMBERS, THE COMMITTEE SHALL ELECT A**  
20 **CHAIR EVERY 2 YEARS.**

21 **14-5E-07.**

22       **IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS SUBTITLE,**  
23 **THE COMMITTEE SHALL:**

24           **(1) DEVELOP AND RECOMMEND TO THE BOARD:**

25           **(I) REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS**  
26 **SUBTITLE;**

27           **(II) A CODE OF ETHICS FOR THE PRACTICE OF PERFUSION**  
28 **FOR ADOPTION BY THE BOARD;**

1                   **(III) RECOMMENDATIONS CONCERNING THE PRACTICE OF**  
2 **PERFUSION, INCLUDING STANDARDS OF CARE FOR THE PRACTICE OF**  
3 **PERFUSION;**

4                   **(IV) REQUIREMENTS FOR LICENSURE TO PRACTICE**  
5 **PERFUSION, INCLUDING:**

6                   1.   **CRITERIA FOR THE EDUCATIONAL AND CLINICAL**  
7 **TRAINING OF LICENSED PERFUSIONISTS; AND**

8                   2.   **CRITERIA FOR A PROFESSIONAL COMPETENCY**  
9 **EXAMINATION AND TESTING OF APPLICANTS FOR A LICENSE TO PRACTICE**  
10 **PERFUSION;**

11                  **(V) CRITERIA FOR LICENSED PERFUSIONISTS WHO ARE**  
12 **LICENSED IN OTHER STATES TO PRACTICE PERFUSION IN THIS STATE;**

13                  **(VI) CONTINUING EDUCATION REQUIREMENTS FOR LICENSE**  
14 **RENEWAL; AND**

15                  **(VII) CRITERIA FOR THE DIRECTION OF STUDENTS IN**  
16 **CLINICAL EDUCATION PROGRAMS BY LICENSED PERFUSIONISTS AND LICENSED**  
17 **PHYSICIANS;**

18                  **(2) EVALUATE THE ACCREDITATION STATUS OF EDUCATION**  
19 **PROGRAMS IN PERFUSION FOR APPROVAL BY THE BOARD;**

20                  **(3) EVALUATE THE CREDENTIALS OF APPLICANTS AND**  
21 **RECOMMEND LICENSURE OF APPLICANTS WHO FULFILL THE REQUIREMENTS**  
22 **FOR A LICENSE TO PRACTICE PERFUSION;**

23                  **(4) KEEP A RECORD OF ITS PROCEEDINGS; AND**

24                  **(5) SUBMIT AN ANNUAL REPORT TO THE BOARD.**

25 **14-5E-08.**

26                  **(A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, ON OR AFTER**  
27 **OCTOBER 1, 2012, AN INDIVIDUAL SHALL BE LICENSED BY THE BOARD BEFORE**  
28 **THE INDIVIDUAL MAY PRACTICE PERFUSION IN THIS STATE.**

29                  **(B) THIS SECTION DOES NOT APPLY TO A STUDENT ENROLLED IN AN**  
30 **EDUCATION PROGRAM UNDER § 14-5E-09(C)(2) OF THIS SUBTITLE WHILE**  
31 **PRACTICING PERFUSION IN THAT PROGRAM.**



1 **14-5E-09.**

2 (A) TO QUALIFY FOR A LICENSE, AN APPLICANT SHALL BE AN  
3 INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THIS SECTION.

4 (B) THE APPLICANT SHALL:

5 (1) BE OF GOOD MORAL CHARACTER; AND

6 (2) BE AT LEAST 18 YEARS OLD.

7 (C) AN APPLICANT FOR A LICENSE TO PRACTICE PERFUSION SHALL:

8 (1) (I) SUBMIT TO THE BOARD SATISFACTORY EVIDENCE OF  
9 CERTIFICATION AS A CERTIFIED PERFUSIONIST OR OTHER NATIONAL  
10 CERTIFICATION APPROVED BY THE BOARD; AND

11 (II) MEET ANY OTHER EDUCATIONAL OR CLINICAL  
12 REQUIREMENTS ESTABLISHED BY THE COMMITTEE AND APPROVED BY THE  
13 BOARD; OR

14 (2) (I) SUBMIT TO THE BOARD SATISFACTORY EVIDENCE OF  
15 GRADUATION FROM A PERFUSION EDUCATIONAL PROGRAM THAT:

16 1. IS ACCREDITED BY THE COMMITTEE ON ALLIED  
17 HEALTH EDUCATION AND ACCREDITATION OF THE AMERICAN MEDICAL  
18 ASSOCIATION ON OR BEFORE JUNE 1, 1991; OR

19 2. HAS EDUCATIONAL STANDARDS THAT ARE  
20 EQUIVALENT TO OR EXCEED THE STANDARDS ESTABLISHED BY THE  
21 COMMISSION ON ACCREDITATION OF ALLIED HEALTH EDUCATION PROGRAMS  
22 AS DETERMINED BY THE COMMITTEE; AND

23 (II) MEET ANY OTHER EDUCATIONAL OR CLINICAL  
24 REQUIREMENTS ESTABLISHED BY THE COMMITTEE AND APPROVED BY THE  
25 BOARD.

26 **14-5E-10.**

27 AN APPLICANT WHO OTHERWISE QUALIFIES FOR A LICENSE UNDER §  
28 14-5E-09(C)(2) OF THIS SUBTITLE IS ENTITLED TO BE LICENSED FOR A SINGLE  
29 2-YEAR TERM BEFORE TAKING THE NATIONAL CERTIFYING EXAMINATION  
30 GIVEN BY THE AMERICAN BOARD OF CARDIOVASCULAR PERFUSION OR ITS

1 SUCCESSOR ORGANIZATION OR ANOTHER EXAMINATION GIVEN OR APPROVED  
2 BY THE BOARD.

3 14-5E-11.

4 (A) TO APPLY FOR A LICENSE, AN APPLICANT SHALL:

5 (1) SUBMIT AN APPLICATION TO THE BOARD ON THE FORM THAT  
6 THE BOARD REQUIRES; AND

7 (2) PAY TO THE BOARD THE APPLICATION FEE SET BY THE  
8 BOARD.

9 (B) THE BOARD SHALL ISSUE A LICENSE TO AN APPLICANT WHO MEETS  
10 THE REQUIREMENTS OF THIS SUBTITLE.

11 14-5E-12.

12 A LICENSE AUTHORIZES AN INDIVIDUAL TO PRACTICE PERFUSION IN THIS  
13 STATE WHILE THE LICENSE IS EFFECTIVE.

14 14-5E-13.

15 (A) (1) A LICENSE EXPIRES ON A DATE SET BY THE BOARD, UNLESS  
16 THE LICENSE IS RENEWED FOR AN ADDITIONAL TERM AS PROVIDED IN THIS  
17 SECTION.

18 (2) A LICENSE MAY NOT BE RENEWED FOR A TERM LONGER THAN  
19 2 YEARS.

20 (B) AT LEAST 1 MONTH BEFORE A LICENSE EXPIRES, THE BOARD SHALL  
21 SEND TO THE LICENSED PERFUSIONIST A RENEWAL NOTICE THAT STATES:

22 (1) THE DATE ON WHICH THE CURRENT LICENSE EXPIRES;

23 (2) THE DATE BY WHICH THE RENEWAL APPLICATION MUST BE  
24 RECEIVED BY THE BOARD FOR THE RENEWAL TO BE ISSUED AND SENT BEFORE  
25 THE LICENSE EXPIRES;

26 (3) THE AMOUNT OF THE RENEWAL FEE; AND

27 (4) FOR LICENSEES WHO QUALIFIED FOR AN INITIAL LICENSE  
28 UNDER § 14-5E-09(C)(2) OF THIS SUBTITLE, THAT THE LICENSEE MUST SUBMIT

1 SATISFACTORY EVIDENCE OF A PASSING SCORE ON THE EXAMINATION AS  
2 REQUIRED UNDER SUBSECTION (C)(2) OF THIS SECTION.

3 (C) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, BEFORE  
4 A LICENSE EXPIRES, THE LICENSED PERFUSIONIST PERIODICALLY MAY RENEW  
5 IT FOR AN ADDITIONAL TERM, IF THE LICENSEE:

6 (I) OTHERWISE IS ENTITLED TO BE LICENSED;

7 (II) PAYS TO THE BOARD A RENEWAL FEE SET BY THE  
8 BOARD; AND

9 (III) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS  
10 SUBSECTION, SUBMITS TO THE BOARD:

11 1. A RENEWAL APPLICATION ON THE FORM THAT  
12 THE BOARD REQUIRES; AND

13 2. SATISFACTORY EVIDENCE OF COMPLIANCE WITH  
14 ANY CONTINUING EDUCATION OR COMPETENCY REQUIREMENTS AND OTHER  
15 REQUIREMENTS SET UNDER THIS SECTION FOR LICENSE RENEWAL.

16 (2) A LICENSEE WHO QUALIFIED FOR AN INITIAL LICENSE UNDER  
17 § 14-5E-09(C)(2) OF THIS SUBTITLE SHALL SUBMIT TO THE BOARD  
18 SATISFACTORY EVIDENCE OF A PASSING SCORE ON THE NATIONAL CERTIFYING  
19 EXAMINATION GIVEN BY THE AMERICAN BOARD OF CARDIOVASCULAR  
20 PERFUSION OR ITS SUCCESSOR ORGANIZATION OR ANOTHER EXAMINATION  
21 GIVEN OR APPROVED BY THE BOARD.

22 (D) IN ADDITION TO ANY OTHER QUALIFICATIONS AND REQUIREMENTS  
23 ESTABLISHED BY THE BOARD, THE BOARD SHALL ESTABLISH CONTINUING  
24 EDUCATION OR COMPETENCY REQUIREMENTS AS A CONDITION OF THE  
25 RENEWAL OF A LICENSE UNDER THIS SECTION.

26 (E) (1) THE BOARD SHALL RENEW THE LICENSE OF EACH LICENSEE  
27 WHO MEETS THE REQUIREMENTS OF THIS SECTION.

28 (2) THE BOARD MAY NOT RENEW THE LICENSE OF A LICENSEE  
29 WHO FAILS TO SUBMIT SATISFACTORY EVIDENCE OF A PASSING SCORE ON THE  
30 EXAMINATION AS REQUIRED UNDER SUBSECTION (C)(2) OF THIS SECTION.

31 (F) THE BOARD SHALL REINSTATE THE LICENSE OF AN INDIVIDUAL  
32 WHO HAS NOT BEEN PLACED ON INACTIVE STATUS BUT HAS FAILED TO RENEW  
33 THE LICENSE FOR ANY REASON IF THE INDIVIDUAL:

1           **(1) APPLIES FOR REINSTATEMENT WITHIN 30 DAYS AFTER THE**  
2 **DATE THE LICENSE EXPIRES;**

3           **(2) MEETS THE RENEWAL REQUIREMENTS OF THIS SECTION; AND**

4           **(3) PAYS TO THE BOARD THE REINSTATEMENT FEE SET BY THE**  
5 **BOARD.**

6 **14-5E-14.**

7           **(A) (1) A LICENSED PERFUSIONIST SHALL NOTIFY THE BOARD IN**  
8 **WRITING OF A CHANGE IN NAME OR ADDRESS WITHIN 60 DAYS AFTER THE**  
9 **CHANGE.**

10           **(2) A LICENSED PERFUSIONIST WHO FAILS TO COMPLY WITH THE**  
11 **REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION IS SUBJECT TO AN**  
12 **ADMINISTRATIVE PENALTY OF \$100.**

13           **(B) EACH LICENSED PERFUSIONIST SHALL DISPLAY THE LICENSE**  
14 **CONSPICUOUSLY IN THE OFFICE OR PLACE OF EMPLOYMENT OF THE LICENSEE.**

15 **14-5E-15.**

16           **(A) (1) THE BOARD SHALL PLACE A LICENSED PERFUSIONIST ON**  
17 **INACTIVE STATUS, IF THE LICENSEE SUBMITS TO THE BOARD:**

18                   **(I) AN APPLICATION FOR INACTIVE STATUS ON THE FORM**  
19 **REQUIRED BY THE BOARD; AND**

20                   **(II) THE INACTIVE STATUS FEE SET BY THE BOARD.**

21           **(2) THE BOARD SHALL ISSUE A LICENSE TO AN INDIVIDUAL WHO**  
22 **IS ON INACTIVE STATUS IF THE INDIVIDUAL COMPLIES WITH THE RENEWAL**  
23 **REQUIREMENTS THAT EXIST AT THE TIME THE INDIVIDUAL CHANGES FROM**  
24 **INACTIVE TO ACTIVE STATUS.**

25           **(B) THE BOARD MAY REINSTATE THE LICENSE OF AN INDIVIDUAL WHO**  
26 **HAS NOT BEEN PUT ON INACTIVE STATUS, HAS FAILED TO RENEW THE LICENSE**  
27 **FOR ANY REASON, AND APPLIES FOR REINSTATEMENT MORE THAN 30 DAYS**  
28 **AFTER THE LICENSE HAS EXPIRED, IF THE INDIVIDUAL:**

29                   **(1) MEETS THE RENEWAL REQUIREMENTS OF § 14-5E-13 OF**  
30 **THIS SUBTITLE;**

1                   (2)    **PAYS TO THE BOARD THE REINSTATEMENT FEE SET BY THE**  
2 **BOARD; AND**

3                   (3)    **MEETS ANY OTHER REQUIREMENTS ESTABLISHED BY**  
4 **REGULATION.**

5   **14-5E-16.**

6                   **UNLESS THE BOARD AGREES TO ACCEPT THE SURRENDER OF A LICENSE,**  
7 **A LICENSED PERFUSIONIST MAY NOT SURRENDER THE LICENSE NOR MAY THE**  
8 **LICENSE LAPSE BY OPERATION OF LAW WHILE THE LICENSEE IS UNDER**  
9 **INVESTIGATION OR WHILE CHARGES ARE PENDING AGAINST THE LICENSEE.**

10 **14-5E-17.**

11                   **(A)    SUBJECT TO THE HEARING PROVISIONS OF § 14-405 OF THIS TITLE,**  
12 **THE BOARD MAY DENY A LICENSE TO ANY APPLICANT, REPRIMAND ANY**  
13 **LICENSEE, PLACE ANY LICENSEE ON PROBATION, OR SUSPEND OR REVOKE A**  
14 **LICENSE IF THE APPLICANT OR LICENSEE:**

15                   (1)    **FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO**  
16 **OBTAIN A LICENSE FOR THE APPLICANT OR LICENSEE OR FOR ANOTHER;**

17                   (2)    **FRAUDULENTLY OR DECEPTIVELY USES A LICENSE;**

18                   (3)    **IS GUILTY OF UNPROFESSIONAL OR IMMORAL CONDUCT IN**  
19 **THE PRACTICE OF PERFUSION;**

20                   (4)    **IS    PROFESSIONALLY,    PHYSICALLY,    OR    MENTALLY**  
21 **INCOMPETENT;**

22                   (5)    **ABANDONS A PATIENT;**

23                   (6)    **IS HABITUALLY INTOXICATED;**

24                   (7)    **IS ADDICTED TO OR HABITUALLY ABUSES ANY NARCOTIC OR**  
25 **CONTROLLED DANGEROUS SUBSTANCE AS DEFINED IN § 5-101 OF THE**  
26 **CRIMINAL LAW ARTICLE;**

27                   (8)    **PROVIDES PROFESSIONAL SERVICES WHILE:**

28                   (1)    **UNDER THE INFLUENCE OF ALCOHOL; OR**

1                   **(II) USING ANY NARCOTIC OR CONTROLLED DANGEROUS**  
2 **SUBSTANCE AS DEFINED IN § 5-101 OF THE CRIMINAL LAW ARTICLE OR ANY**  
3 **OTHER DRUG THAT IS IN EXCESS OF THERAPEUTIC AMOUNTS OR WITHOUT**  
4 **VALID MEDICAL INDICATION;**

5                   **(9) PROMOTES THE SALE OF SERVICES, DRUGS, DEVICES,**  
6 **APPLIANCES, OR GOODS TO A PATIENT SO AS TO EXPLOIT THE PATIENT FOR**  
7 **FINANCIAL GAIN;**

8                   **(10) WILLFULLY MAKES OR FILES A FALSE REPORT OR RECORD IN**  
9 **THE PRACTICE OF PERFUSION;**

10                   **(11) WILLFULLY FAILS TO FILE OR RECORD ANY REPORT AS**  
11 **REQUIRED UNDER LAW, WILLFULLY IMPEDES OR OBSTRUCTS THE FILING OR**  
12 **RECORDING OF A REPORT, OR INDUCES ANOTHER TO FAIL TO FILE OR RECORD**  
13 **A REPORT;**

14                   **(12) BREACHES PATIENT CONFIDENTIALITY;**

15                   **(13) PAYS OR AGREES TO PAY ANY SUM OR PROVIDE ANY FORM OF**  
16 **REMUNERATION OR MATERIAL BENEFIT TO ANY PERSON FOR BRINGING OR**  
17 **REFERRING A PATIENT OR ACCEPTS OR AGREES TO ACCEPT ANY SUM OR ANY**  
18 **FORM OF REMUNERATION OR MATERIAL BENEFIT FROM AN INDIVIDUAL FOR**  
19 **BRINGING OR REFERRING A PATIENT;**

20                   **(14) KNOWINGLY MAKES A MISREPRESENTATION WHILE**  
21 **PRACTICING PERFUSION;**

22                   **(15) KNOWINGLY PRACTICES PERFUSION WITH AN UNAUTHORIZED**  
23 **INDIVIDUAL OR AIDS AN UNAUTHORIZED INDIVIDUAL IN THE PRACTICE OF**  
24 **PERFUSION;**

25                   **(16) KNOWINGLY DELEGATES A PERFUSION DUTY TO AN**  
26 **UNLICENSED INDIVIDUAL;**

27                   **(17) OFFERS, UNDERTAKES, OR AGREES TO CURE OR TREAT**  
28 **DISEASE BY A SECRET METHOD, TREATMENT, OR MEDICINE;**

29                   **(18) IS DISCIPLINED BY A LICENSING OR DISCIPLINARY**  
30 **AUTHORITY OR IS CONVICTED OR DISCIPLINED BY A COURT OF ANY STATE OR**  
31 **COUNTRY OR IS DISCIPLINED BY ANY BRANCH OF THE UNITED STATES**  
32 **UNIFORMED SERVICES OR THE U.S. DEPARTMENT OF VETERANS AFFAIRS FOR**  
33 **AN ACT THAT WOULD BE GROUNDS FOR DISCIPLINARY ACTION UNDER THE**  
34 **BOARD'S DISCIPLINARY STATUTES;**

1           **(19) FAILS TO MEET APPROPRIATE STANDARDS FOR THE**  
2 **DELIVERY OF PERFUSION SERVICES;**

3           **(20) KNOWINGLY SUBMITS FALSE STATEMENTS TO COLLECT FEES**  
4 **FOR WHICH SERVICES ARE NOT PROVIDED;**

5           **(21) (I) HAS BEEN SUBJECT TO INVESTIGATION OR**  
6 **DISCIPLINARY ACTION BY A LICENSING OR DISCIPLINARY AUTHORITY OR BY A**  
7 **COURT OF ANY STATE OR COUNTRY FOR AN ACT THAT WOULD BE GROUNDS FOR**  
8 **DISCIPLINARY ACTION UNDER THE BOARD'S DISCIPLINARY STATUTES; AND**

9           **(II) HAS:**

10                   **1. SURRENDERED THE LICENSE, IF ANY, ISSUED BY**  
11 **THE STATE OR COUNTRY; OR**

12                   **2. ALLOWED THE LICENSE, IF ANY, ISSUED BY THE**  
13 **STATE OR COUNTRY TO EXPIRE OR LAPSE;**

14           **(22) KNOWINGLY FAILS TO REPORT SUSPECTED CHILD ABUSE IN**  
15 **VIOLATION OF § 5-704 OF THE FAMILY LAW ARTICLE;**

16           **(23) SELLS, PRESCRIBES, GIVES AWAY, OR ADMINISTERS DRUGS**  
17 **FOR ILLEGAL OR ILLEGITIMATE MEDICAL PURPOSES;**

18           **(24) PRACTICES OR ATTEMPTS TO PRACTICE BEYOND THE**  
19 **AUTHORIZED SCOPE OF PRACTICE;**

20           **(25) IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE**  
21 **TO A FELONY OR TO A CRIME INVOLVING MORAL TURPITUDE, WHETHER OR NOT**  
22 **ANY APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR**  
23 **PLEA SET ASIDE;**

24           **(26) REFUSES, WITHHOLDS FROM, DENIES, OR DISCRIMINATES**  
25 **AGAINST AN INDIVIDUAL WITH REGARD TO THE PROVISION OF PROFESSIONAL**  
26 **SERVICES FOR WHICH THE LICENSEE IS LICENSED AND QUALIFIED TO RENDER**  
27 **BECAUSE THE INDIVIDUAL IS HIV POSITIVE; OR**

28           **(27) PRACTICES OR ATTEMPTS TO PRACTICE A PERFUSION**  
29 **PROCEDURE OR USES OR ATTEMPTS TO USE PERFUSION EQUIPMENT IF THE**  
30 **APPLICANT OR LICENSEE HAS NOT RECEIVED EDUCATION AND TRAINING IN THE**  
31 **PERFORMANCE OF THE PROCEDURE OR THE USE OF THE EQUIPMENT.**

1           **(B) EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 2 OF THE**  
2 **STATE GOVERNMENT ARTICLE, BEFORE THE BOARD TAKES ANY ACTION UNDER**  
3 **SUBSECTION (A) OF THIS SECTION, IT SHALL GIVE THE INDIVIDUAL AGAINST**  
4 **WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING**  
5 **BEFORE THE BOARD IN ACCORDANCE WITH THE HEARING REQUIREMENTS OF §**  
6 **14-405 OF THIS TITLE.**

7           **(C) (1) ON THE FILING OF CERTIFIED DOCKET ENTRIES WITH THE**  
8 **BOARD BY THE OFFICE OF THE ATTORNEY GENERAL, THE BOARD SHALL**  
9 **ORDER THE SUSPENSION OF A LICENSE IF THE LICENSEE IS CONVICTED OF OR**  
10 **PLEADS GUILTY OR NOLO CONTENDERE WITH RESPECT TO A CRIME INVOLVING**  
11 **MORAL TURPITUDE, WHETHER OR NOT ANY APPEAL OR OTHER PROCEEDING IS**  
12 **PENDING TO HAVE THE CONVICTION OR PLEA SET ASIDE.**

13           **(2) AFTER COMPLETION OF THE APPELLATE PROCESS IF THE**  
14 **CONVICTION HAS NOT BEEN REVERSED OR THE PLEA HAS NOT BEEN SET ASIDE**  
15 **WITH RESPECT TO A CRIME INVOLVING MORAL TURPITUDE, THE BOARD SHALL**  
16 **ORDER THE REVOCATION OF A LICENSE ON THE CERTIFICATION BY THE OFFICE**  
17 **OF THE ATTORNEY GENERAL.**

18 **14-5E-18.**

19           **(A) (1) ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE**  
20 **BOARD UNDER THIS SUBTITLE MAY NOT APPEAL TO THE SECRETARY OR BOARD**  
21 **OF REVIEW BUT MAY TAKE A DIRECT JUDICIAL APPEAL.**

22           **(2) THE APPEAL SHALL BE MADE AS PROVIDED FOR JUDICIAL**  
23 **REVIEW OF FINAL DECISIONS IN TITLE 10, SUBTITLE 2 OF THE STATE**  
24 **GOVERNMENT ARTICLE.**

25           **(B) AN ORDER OF THE BOARD MAY NOT BE STAYED PENDING REVIEW.**

26           **(C) THE BOARD MAY APPEAL FROM ANY DECISION THAT REVERSES OR**  
27 **MODIFIES ITS ORDER.**

28 **14-5E-19.**

29           **(A) EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (D) OF THIS**  
30 **SECTION, HOSPITALS, RELATED INSTITUTIONS, ALTERNATIVE HEALTH SYSTEMS**  
31 **AS DEFINED IN § 1-401 OF THIS ARTICLE, AND EMPLOYERS SHALL FILE WITH**  
32 **THE BOARD A REPORT THAT THE HOSPITAL, RELATED INSTITUTION,**  
33 **ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER LIMITED, REDUCED, OTHERWISE**  
34 **CHANGED, OR TERMINATED ANY LICENSED PERFUSIONIST FOR ANY REASON**



1 THAT MIGHT BE GROUNDS FOR DISCIPLINARY ACTION UNDER § 14-5E-17 OF  
2 THIS SUBTITLE.

3 (B) A HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH  
4 SYSTEM, OR EMPLOYER THAT HAS REASON TO KNOW THAT A LICENSED  
5 PERFUSIONIST HAS COMMITTED AN ACT OR HAS A CONDITION THAT MIGHT BE  
6 GROUNDS FOR REPRIMAND OR PROBATION OF THE LICENSED PERFUSIONIST OR  
7 SUSPENSION OR REVOCATION OF THE LICENSE BECAUSE THE LICENSED  
8 PERFUSIONIST IS ALCOHOL-IMPAIRED OR DRUG-IMPAIRED IS NOT REQUIRED  
9 TO REPORT THE LICENSED PERFUSIONIST TO THE BOARD IF:

10 (1) THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE  
11 HEALTH SYSTEM, OR EMPLOYER KNOWS THAT THE LICENSED PERFUSIONIST IS:

12 (i) IN AN ALCOHOL OR DRUG TREATMENT PROGRAM THAT  
13 IS ACCREDITED BY THE JOINT COMMISSION ON ACCREDITATION OF  
14 HEALTHCARE ORGANIZATIONS OR IS CERTIFIED BY THE DEPARTMENT; OR

15 (ii) UNDER THE CARE OF A HEALTH CARE PRACTITIONER  
16 WHO IS COMPETENT AND CAPABLE OF DEALING WITH ALCOHOLISM AND DRUG  
17 ABUSE; AND

18 (2) (i) THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE  
19 HEALTH SYSTEM, OR EMPLOYER IS ABLE TO VERIFY THAT THE LICENSED  
20 PERFUSIONIST REMAINS IN THE TREATMENT PROGRAM UNTIL DISCHARGE; AND

21 (ii) THE ACTION OR CONDITION OF THE LICENSED  
22 PERFUSIONIST HAS NOT CAUSED INJURY TO ANY PERSON WHILE THE  
23 PERFUSIONIST IS PRACTICING AS A LICENSED PERFUSIONIST.

24 (C) (1) IF THE LICENSED PERFUSIONIST ENTERS, OR IS CONSIDERING  
25 ENTERING, AN ALCOHOL OR DRUG TREATMENT PROGRAM THAT IS ACCREDITED  
26 BY THE JOINT COMMISSION ON ACCREDITATION OF HEALTHCARE  
27 ORGANIZATIONS OR THAT IS CERTIFIED BY THE DEPARTMENT, THE LICENSED  
28 PERFUSIONIST SHALL NOTIFY THE HOSPITAL, RELATED INSTITUTION,  
29 ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER OF THE LICENSED  
30 PERFUSIONIST'S DECISION TO ENTER THE TREATMENT PROGRAM.

31 (2) IF THE LICENSED PERFUSIONIST FAILS TO PROVIDE THE  
32 NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, AND THE  
33 HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR  
34 EMPLOYER LEARNS THAT THE LICENSED PERFUSIONIST HAS ENTERED A  
35 TREATMENT PROGRAM, THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE  
36 HEALTH SYSTEM, OR EMPLOYER SHALL REPORT TO THE BOARD THAT THE

1 LICENSED PERFUSIONIST HAS ENTERED A TREATMENT PROGRAM AND HAS  
2 FAILED TO PROVIDE THE REQUIRED NOTICE.

3 (3) IF THE LICENSED PERFUSIONIST IS FOUND TO BE  
4 NONCOMPLIANT WITH THE TREATMENT PROGRAM'S POLICIES AND  
5 PROCEDURES WHILE IN THE TREATMENT PROGRAM, THE TREATMENT  
6 PROGRAM SHALL NOTIFY THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE  
7 HEALTH SYSTEM, OR EMPLOYER OF THE LICENSED PERFUSIONIST'S  
8 NONCOMPLIANCE.

9 (4) ON RECEIPT OF THE NOTIFICATION REQUIRED UNDER  
10 PARAGRAPH (3) OF THIS SUBSECTION, THE HOSPITAL, RELATED INSTITUTION,  
11 ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER OF THE LICENSED  
12 PERFUSIONIST SHALL REPORT THE LICENSED PERFUSIONIST'S  
13 NONCOMPLIANCE TO THE BOARD.

14 (D) A PERSON IS NOT REQUIRED UNDER THIS SECTION TO MAKE ANY  
15 REPORT THAT WOULD BE IN VIOLATION OF ANY FEDERAL OR STATE LAW, RULE,  
16 OR REGULATION CONCERNING THE CONFIDENTIALITY OF ALCOHOL- AND  
17 DRUG ABUSE-RELATED PATIENT RECORDS.

18 (E) THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH  
19 SYSTEM, OR EMPLOYER SHALL SUBMIT THE REPORT WITHIN 10 DAYS OF ANY  
20 ACTION DESCRIBED IN THIS SECTION.

21 (F) A REPORT MADE UNDER THIS SECTION IS NOT SUBJECT TO  
22 SUBPOENA OR DISCOVERY IN ANY CIVIL ACTION OTHER THAN A PROCEEDING  
23 ARISING OUT OF A HEARING AND DECISION OF THE BOARD UNDER THIS TITLE.

24 (G) (1) THE BOARD MAY IMPOSE A CIVIL PENALTY OF UP TO \$1,000  
25 FOR FAILURE TO REPORT UNDER THIS SECTION.

26 (2) THE BOARD SHALL REMIT ANY PENALTY COLLECTED UNDER  
27 THIS SUBSECTION INTO THE GENERAL FUND OF THE STATE.

28 14-5E-20.

29 ON THE APPLICATION OF AN INDIVIDUAL WHOSE LICENSE HAS BEEN  
30 REVOKED, THE BOARD, ON THE AFFIRMATIVE VOTE OF A MAJORITY OF ITS FULL  
31 AUTHORIZED MEMBERSHIP, MAY REINSTATE A REVOKED LICENSE.

32 14-5E-21.

1           **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A PERSON MAY NOT**  
2 **PRACTICE, ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE PERFUSION IN THIS**  
3 **STATE UNLESS LICENSED TO PRACTICE PERFUSION BY THE BOARD.**

4 **14-5E-22.**

5           **(A) UNLESS AUTHORIZED TO PRACTICE PERFUSION UNDER THIS**  
6 **SUBTITLE, A PERSON MAY NOT REPRESENT TO THE PUBLIC BY TITLE, BY**  
7 **DESCRIPTION OF SERVICES, METHODS, OR PROCEDURES, OR OTHERWISE, THAT**  
8 **THE PERSON IS AUTHORIZED TO PRACTICE PERFUSION IN THIS STATE.**

9           **(B) UNLESS AUTHORIZED TO PRACTICE PERFUSION UNDER THIS**  
10 **SUBTITLE, A PERSON MAY NOT USE THE TITLES “CERTIFIED CLINICAL**  
11 **PERFUSIONIST”, “LICENSED PERFUSIONIST”, OR “LICENSED CLINICAL**  
12 **PERFUSIONIST”, THE ABBREVIATIONS “C.C.P.”, “L.P.”, OR “L.C.P.”, OR ANY**  
13 **OTHER WORDS, LETTERS, OR SYMBOLS WITH THE INTENT TO REPRESENT THAT**  
14 **THE PERSON PRACTICES PERFUSION, HOLDS A CERTIFICATE AS A CERTIFIED**  
15 **CLINICAL PERFUSIONIST ISSUED BY THE AMERICAN BOARD OF**  
16 **CARDIOVASCULAR PERFUSION OR ITS SUCCESSOR ENTITY, OR HOLDS A**  
17 **LICENSE AS A LICENSED PERFUSIONIST ISSUED BY THE BOARD.**

18 **14-5E-23.**

19           **A PERSON MAY NOT PROVIDE, ATTEMPT TO PROVIDE, OFFER TO PROVIDE,**  
20 **OR REPRESENT THAT THE PERSON PROVIDES PERFUSION SERVICES UNLESS**  
21 **THE PERFUSION IS PROVIDED BY AN INDIVIDUAL WHO IS AUTHORIZED TO**  
22 **PRACTICE PERFUSION UNDER THIS SUBTITLE.**

23 **14-5E-24.**

24           **(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A**  
25 **PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A**  
26 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING**  
27 **\$1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.**

28           **(B) A PERSON WHO VIOLATES § 14-5E-21 OF THIS SUBTITLE IS**  
29 **SUBJECT TO A CIVIL FINE OF NOT MORE THAN \$5,000 TO BE LEVIED BY THE**  
30 **BOARD.**

31           **(C) THE BOARD SHALL PAY ANY PENALTY COLLECTED UNDER THIS**  
32 **SECTION INTO THE BOARD OF PHYSICIANS FUND.**

33 **14-5E-25.**



1           **(3) HAS OPERATED A CARDIOPULMONARY BYPASS SYSTEM**  
2 **DURING CARDIAC SURGICAL CASES IN A LICENSED HEALTH CARE FACILITY AS**  
3 **THE INDIVIDUAL'S PRIMARY FUNCTION SINCE 2003.**

4           SECTION 4. AND BE IT FURTHER ENACTED, That:

5           (a) (1) Notwithstanding the provisions of § 14-5E-06 of the Health  
6 Occupations Article, as enacted by Section 2 of this Act, each initial perfusionist  
7 member of the Perfusion Advisory Committee shall apply for and receive a license to  
8 practice perfusion within 90 days of the appointment of all initial members of the  
9 Perfusion Advisory Committee.

10           (2) If an initial perfusionist member of the Perfusion Advisory  
11 Committee fails to apply for and receive a license in accordance with paragraph (1) of  
12 this subsection:

13                   (i) the term of the initial perfusionist member shall terminate  
14 immediately; and

15                   (ii) the State Board of Physicians shall appoint a licensed  
16 perfusionist to serve the remainder of the term.

17           (b) The terms of the initial members of the Perfusion Advisory Committee  
18 shall expire as follows:

19                   (1) one member in 2012;

20                   (2) two members in 2013; and

21                   (3) two members in 2014.

22           SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2011. Section 3 of this Act shall remain effective for a period of 1 year and,  
24 at the end of September 30, 2012, with no further action required by the General  
25 Assembly, Section 3 of this Act shall be abrogated and of no further force and effect.