

Chapter 221

(Senate Bill 350)

AN ACT concerning

Respiratory Care Practitioners – Practicing Polysomnography – Licensing Exceptions

FOR the purpose of providing that a licensed respiratory care practitioner has the right to practice respiratory care within the scope of practice of the respiratory care practitioner's license, including practicing respiratory care in a sleep laboratory; providing that the licensing requirements to practice polysomnography do not apply to a certain respiratory care practitioner licensed by the State Board of Physicians on or before a certain date; and generally relating to licensing exceptions to the practice of polysomnography by respiratory care practitioners.

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 14-5C-02 and 14-5C-08
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

Article – Health Occupations

14-5C-02.

This subtitle does not limit:

(1) The right of an individual to practice a health occupation that the individual is authorized to practice under this article; [or]

(2) The right of a licensed home medical equipment provider to provide home medical equipment services as defined under Title 19, Subtitle 4A of the Health – General Article; OR

(3) THE RIGHT OF A LICENSED RESPIRATORY CARE PRACTITIONER TO PRACTICE RESPIRATORY CARE WITHIN THE SCOPE OF PRACTICE OF THE RESPIRATORY CARE PRACTITIONER'S LICENSE, INCLUDING PRACTICING RESPIRATORY CARE IN A SLEEP LABORATORY.

14-5C-08.

(a) Except as otherwise provided in this subtitle, on or after October 1, 2013, an individual shall be licensed by the Board before the individual may practice polysomnography in this State.

(b) This section does not apply to a student enrolled in an education program under § 14-5C-09(c)(3) of this subtitle while practicing polysomnography in that program.

(C) THIS SECTION DOES NOT APPLY TO A RESPIRATORY CARE PRACTITIONER WHO WAS LICENSED BY THE BOARD TO PRACTICE RESPIRATORY CARE ON OR BEFORE DECEMBER 31, 2012, AND WHOSE DUTIES INCLUDE PRACTICING POLYSOMNOGRAPHY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, May 2, 2012.