

SENATE BILL 512

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3lr2469
CF HB 1356

By: **Senators Montgomery, Benson, Forehand, Madaleno, Peters, Pinsky, and Ramirez**

Introduced and read first time: January 31, 2013

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2013

CHAPTER _____

1 AN ACT concerning

2 **Health Care Practitioners – Identification Badge**

3 FOR the purpose of requiring ~~a~~ that certain health care ~~practitioner~~ practitioners,
4 when providing health care to a patient, ~~to~~ wear a badge or other form of
5 identification displaying certain information; providing for ~~a certain exception~~
6 certain exceptions; requiring each health occupation board to adopt certain
7 regulations, including provisions for taking certain ~~disciplinary action~~
8 administrative action for a certain violation; authorizing the regulations to
9 provide certain exemptions or allow use of a certain name; requiring that
10 certain administrative actions be kept confidential; defining a certain term; and
11 generally relating to display of identification by health care practitioners.

12 BY adding to

13 Article – Health Occupations

14 Section 1–220

15 Annotated Code of Maryland

16 (2009 Replacement Volume and 2012 Supplement)

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 **1–220.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) IN THIS SECTION, "HEALTH CARE PRACTITIONER" MEANS A PERSON
 2 WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED UNDER THIS
 3 ARTICLE TO PROVIDE HEALTH CARE SERVICES IN THE ORDINARY COURSE OF
 4 BUSINESS OR PRACTICE OF A PROFESSION.

5 (B) THIS SECTION APPLIES ONLY TO A HEALTH CARE PRACTITIONER
 6 WHO PRACTICES IN:

7 (1) A FREESTANDING AMBULATORY CARE FACILITY;

8 (2) A PHYSICIAN'S OFFICE; OR

9 (3) AN URGENT CARE FACILITY.

10 ~~(B)~~ (C) EXCEPT AS PROVIDED IN SUBSECTION ~~(C)~~ (D) OF THIS
 11 SECTION, WHEN PROVIDING HEALTH CARE TO A PATIENT, A HEALTH CARE
 12 PRACTITIONER SHALL WEAR A BADGE OR OTHER FORM OF IDENTIFICATION
 13 DISPLAYING IN READILY VISIBLE TYPE:

14 (1) THE HEALTH CARE PRACTITIONER'S NAME; AND

15 (2) THE ~~TITLE OR ROLE~~ TYPE OF LICENSE OF THE HEALTH CARE
 16 PRACTITIONER.

17 ~~(C)~~ (D) A BADGE OR OTHER FORM OF IDENTIFICATION IS NOT
 18 REQUIRED TO BE WORN IF:

19 (1) (I) THE PATIENT IS BEING SEEN IN THE OFFICE OF A
 20 HEALTH CARE PRACTITIONER WHO IS A SOLO PRACTITIONER; AND

21 ~~(2)~~ (II) THE NAME AND LICENSE OF THE HEALTH CARE
 22 PRACTITIONER CAN BE READILY DETERMINED BY THE PATIENT FROM A POSTED
 23 LICENSE OR SIGN IN THE OFFICE; OR

24 (2) THE PATIENT IS BEING SEEN IN:

25 (I) AN OPERATING ROOM OR OTHER SETTING WHERE
 26 SURGICAL OR OTHER INVASIVE PROCEDURES ARE PERFORMED; OR

27 (II) ANY OTHER SETTING WHERE MAINTAINING A STERILE
 28 ENVIRONMENT IS MEDICALLY NECESSARY.

1 ~~(D)~~ (E) (1) EACH HEALTH OCCUPATION BOARD SHALL ADOPT
2 REGULATIONS TO IMPLEMENT THIS SECTION.

3 (2) THE REGULATIONS SHALL INCLUDE PROVISIONS FOR TAKING
4 ~~DISCIPLINARY~~ ADMINISTRATIVE ACTION AGAINST A HEALTH CARE
5 PRACTITIONER WHO VIOLATES THIS SECTION AS FOLLOWS:

6 (I) FOR A FIRST OFFENSE, ISSUE A WARNING; AND

7 (II) FOR A SECOND OR SUBSEQUENT OFFENSE, IMPOSE A
8 FINE NOT TO EXCEED \$25 FOR EACH VIOLATION.

9 (3) (I) THE REGULATIONS, WHEN NECESSARY FOR THE
10 PATIENT OR HEALTH CARE PRACTITIONER’S SAFETY OR FOR THERAPEUTIC
11 CONCERNS MAY:

12 1. PROVIDE EXEMPTIONS FROM WEARING A BADGE
13 OR OTHER FORM OF IDENTIFICATION; OR

14 2. ALLOW USE OF THE HEALTH CARE
15 PRACTITIONER’S FIRST NAME ONLY.

16 (II) THE REGULATIONS SHALL SPECIFY THE RATIONALE
17 FOR AND SITUATIONS IN WHICH AN EXEMPTION OR USE OF THE FIRST NAME
18 ONLY IS PERMISSIBLE.

19 (F) AN ADMINISTRATIVE ACTION TAKEN BY A HEALTH OCCUPATION
20 BOARD UNDER THIS SECTION IS CONFIDENTIAL AND MAY NOT BE PUBLICLY
21 REPORTED AS A DISCIPLINARY ACTION.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2013.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.