

# SENATE BILL 942

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EMERGENCY BILL

3lr3188

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By: **Senator Reilly**

Introduced and read first time: February 14, 2013

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Physicians – Licensing Qualifications – Additional Training**  
3 **Exemption**

4 FOR the purpose of exempting certain applicants for a license to practice medicine in  
5 the State from a requirement to submit evidence of certain additional clinical  
6 training after having failed a certain examination a certain number of times;  
7 making this Act an emergency measure; and generally relating to licensing  
8 qualifications for physicians.

9 BY repealing and reenacting, with amendments,  
10 Article – Health Occupations  
11 Section 14–307  
12 Annotated Code of Maryland  
13 (2009 Replacement Volume and 2012 Supplement)

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

16 **Article – Health Occupations**

17 14–307.

18 (a) To qualify for a license, an applicant shall be an individual who meets the  
19 requirements of this section.

20 (b) The applicant shall be of good moral character.

21 (c) The applicant shall be at least 18 years old.

22 (d) Except as provided in § 14–308 of this subtitle, the applicant shall:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (1)   (i)    Have a degree of doctor of medicine from a medical school  
2 that is accredited by an accrediting organization that the Board recognizes in its  
3 regulations; and

4                   (ii)   Submit evidence acceptable to the Board of successful  
5 completion of 1 year of training in a postgraduate medical training program that is  
6 accredited by an accrediting organization that the Board recognizes in its regulations;  
7 or

8           (2)   (i)    Have a degree of doctor of osteopathy from a school of  
9 osteopathy in the United States, its territories or possessions, Puerto Rico, or Canada  
10 that has standards for graduation equivalent to those established by the American  
11 Osteopathic Association; and

12                   (ii)   Submit evidence acceptable to the Board of successful  
13 completion of 1 year of training in a postgraduate medical training program accredited  
14 by an accrediting organization that the Board recognizes in its regulations.

15           (e)    Except as otherwise provided in this title, the applicant shall pass an  
16 examination required by the Board under this subtitle.

17           (f)    The applicant shall meet any other qualifications that the Board  
18 establishes in its regulations for license applicants.

19           (g)    **(1) [An] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
20 **SUBSECTION, AN** applicant who has failed the examination or any part of the  
21 examination 3 or more times shall submit evidence of having completed 1 year of  
22 additional clinical training in an approved postgraduate training program following  
23 the latest failure.

24                   **(2) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO**  
25 **NOT APPLY TO AN APPLICANT WHO:**

26                           **(I) HOLDS A VALID LICENSE TO PRACTICE MEDICINE IN**  
27 **ANOTHER STATE;**

28                           **(II) HAS PRACTICED MEDICINE FOR AT LEAST 8 YEARS**  
29 **SINCE THE ISSUANCE OF THE APPLICANT'S INITIAL LICENSE TO PRACTICE**  
30 **MEDICINE; AND**

31                           **(III) OTHERWISE MEETS THE REQUIREMENTS OF THIS**  
32 **SECTION.**

33           (h)    (1)    The Board shall require as part of its examination or licensing  
34 procedures that an applicant for a license to practice medicine demonstrate an oral  
35 competency in the English language.

1           (2) Graduation from a recognized English-speaking undergraduate  
2 school or high school, including General Education Development (GED), after at least  
3 3 years of enrollment, or from a recognized English-speaking professional school is  
4 acceptable as proof of proficiency in the oral communication of the English language  
5 under this section.

6           (3) By regulation, the Board shall develop a procedure for testing  
7 individuals who because of their speech impairment are unable to complete  
8 satisfactorily a Board approved standardized test of oral competency.

9           (4) If any disciplinary charges or action that involves a problem with  
10 the oral communication of the English language are brought against a licensee under  
11 this title, the Board shall require the licensee to take and pass a Board approved  
12 standardized test of oral competency.

13           SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
14 measure, is necessary for the immediate preservation of the public health or safety,  
15 has been passed by a ye and nay vote supported by three-fifths of all the members  
16 elected to each of the two Houses of the General Assembly, and shall take effect from  
17 the date it is enacted.