

HOUSE BILL 1069

J2

4lr2456

By: **Delegates Smigiel, Dwyer, and Glass**
Introduced and read first time: February 6, 2014
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Social Workers – Authorization for an Individual to**
3 **Maintain an Action to Enjoin**

4 FOR the purpose of authorizing an individual to maintain in the name of the
5 individual an action to enjoin the unauthorized practice of social work or
6 conduct that is a ground for certain disciplinary action; and generally relating to
7 social workers and authorization for an individual to maintain an action to
8 enjoin.

9 BY repealing and reenacting, with amendments,
10 Article – Health Occupations
11 Section 19–316
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2013 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 19–316.

18 (a) An action may be maintained in the name of the State [or], the Board,
19 OR AN INDIVIDUAL to enjoin:

20 (1) The unauthorized practice of social work; or

21 (2) Conduct that is a ground for disciplinary action under § 19–311 of
22 this subtitle.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) An action under this section may be brought by:

2 (1) The Board, in its own name;

3 (2) The Attorney General, in the name of the State; **[or]**

4 (3) A State's Attorney, in the name of the State; **OR**

5 **(4) AN INDIVIDUAL, IN THE NAME OF THE INDIVIDUAL.**

6 (c) An action under this section shall be brought in the county where the
7 defendant:

8 (1) Resides; or

9 (2) Engages in the act sought to be enjoined.

10 (d) Proof of actual damage or that any person will sustain any damage if an
11 injunction is not granted is not required for an action under this section.

12 (e) An action under this section is in addition to and not instead of criminal
13 prosecution for unauthorized practice of social work under § 19–401 of this title or
14 disciplinary action under § 19–311 of this subtitle.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2014.