

# SENATE BILL 138

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4lr1045

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By: **Senator Conway**

Introduced and read first time: January 10, 2014

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 14, 2014

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Health Occupations – Board of Physicians – Reinstatement of Licenses**

3 FOR the purpose of requiring the State Board of Physicians to reconsider, under  
4 certain circumstances, the suspension or revocation of an individual's license to  
5 practice medicine, that is based solely on a certain ground for discipline relating  
6 to disciplinary action by a licensing or disciplinary authority in another state,  
7 on request of the individual; and generally relating to the reinstatement of a  
8 suspended or revoked license to practice medicine in the State.

9 BY repealing and reenacting, with amendments,  
10 Article – Health Occupations  
11 Section 14–409  
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 14–409.

18 (a) (1) Except as provided in subsection (b) of this section, a disciplinary  
19 panel may reinstate the license of an individual whose license has been suspended or  
20 revoked under this title only in accordance with:

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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 (i) The terms and conditions of the order of suspension or  
2 revocation;

3 (ii) An order of reinstatement issued by the disciplinary panel;  
4 or

5 (iii) A final judgment in any proceeding for review.

6 (2) If a disciplinary panel reinstates a license under paragraph (1) of  
7 this subsection, the disciplinary panel shall notify the Board of the reinstatement.

8 (b) An individual whose license has been suspended or revoked under this  
9 title and who seeks reinstatement shall meet the continuing medical education  
10 requirements established for the renewal of licenses as if the individual were licensed  
11 during the period of suspension or revocation.

12 (c) If an order of suspension or revocation is based on § 14-404(b) of this  
13 subtitle, and the conviction or plea subsequently is overturned at any stage of an  
14 appeal or other postconviction proceeding, the suspension or revocation ends when the  
15 conviction or plea is overturned.

16 **(D) IF AN ORDER OF SUSPENSION OR REVOCATION OF AN INDIVIDUAL'S**  
17 **LICENSE IS BASED SOLELY ON § 14-404(A)(21) OF THIS SUBTITLE, AND THE**  
18 **LICENSING OR DISCIPLINARY AUTHORITY OF THE STATE THAT DISCIPLINED**  
19 **THE INDIVIDUAL REINSTATES THE INDIVIDUAL'S LICENSE, THE BOARD, ON**  
20 **REQUEST OF THE INDIVIDUAL WHO SEEKS REINSTATEMENT IN THIS STATE,**  
21 **SHALL RECONSIDER THE SUSPENSION OR REVOCATION OF THE INDIVIDUAL'S**  
22 **LICENSE.**

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.