

Chapter 626

(House Bill 959)

AN ACT concerning

State Board of Physicians – Qualifications for Licensure and Definitions

FOR the purpose of clarifying that certain applicants who have failed a certain examination a certain number of times or more must pass the examination, be otherwise qualified, and satisfy certain other requirements to qualify for a license to practice medicine; altering the definition of “board certified”, for purposes of provisions of law governing physicians, to increase the number of certifying boards by which a physician may be certified; and generally relating to the State Board of Physicians, qualifications for licensure, and definitions.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–101(c) and 14–307(e) and (g)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

Article – Health Occupations

14–101.

(c) “Board certified” means the physician is certified by a public or private board, including a multidisciplinary board, and the certifying board:

(1) Is:

(i) A member of the American Board of Medical Specialties; [or]

(ii) An American Osteopathic Association certifying board;

**(III) THE ROYAL COLLEGE OF PHYSICIANS AND SURGEONS
OF CANADA; OR**

(IV) THE COLLEGE OF FAMILY PHYSICIANS OF CANADA;

(2) Has been approved by the Board under § 14–101.1 of this subtitle;

or

- (3) Requires that, in order to be certified, the physician:
- (i) Complete a postgraduate training program that:
1. Provides complete training in the specialty or subspecialty; and
 2. Is accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association; and
- (ii) Be certified by [the]:
1. **THE** member board of the American Board of Medical Specialties [or the];
 2. **THE** American Osteopathic Association in the training field;
 3. **THE ROYAL COLLEGE OF PHYSICIANS AND SURGEONS OF CANADA; OR**
 4. **THE COLLEGE OF FAMILY PHYSICIANS OF CANADA.**

14-307.

(e) Except as otherwise provided in this [title] **SUBTITLE**, the applicant shall pass an examination required by the Board [under this subtitle].

(g) An **OTHERWISE QUALIFIED** applicant who [has failed] **PASSES** the examination **AFTER HAVING FAILED THE EXAMINATION** or any part of the examination 3 or more times may qualify for a license **ONLY** if the applicant:

- (1) Has successfully completed 2 or more years of a residency or fellowship accredited by the Accreditation Council on Graduate Medical Education or the American Osteopathic Association;
- (2) (i) Has a minimum of 5 years of clinical practice of medicine:
 1. In the United States or in Canada;
 2. With at least 3 of the 5 years having occurred within 5 years of the date of the application; and

3. That occurred under a full unrestricted license to practice medicine; and

(ii) Has no disciplinary action pending and has had no disciplinary action taken against the applicant that would be grounds for discipline under § 14-404 of this title; or

(3) Is board certified.

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

Approved by the Governor, May 15, 2014.