

HOUSE BILL 638

J2

(9lr1846)

ENROLLED BILL

— *Health and Government Operations/Education, Health, and Environmental Affairs* —

Introduced by **Delegates Pendergrass, McIntosh, Pena–Melnyk, ~~and Reznik~~ Reznik, Bagnall, Barron, Carr, Charles, Cullison, Hill, Kelly, Kerr, Kipke, Krebs, R. Lewis, Rosenberg, Sample–Hughes, and K. Young**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **State Board of Physicians – Sunset Evaluation ~~and Performance Audit~~ and**
3 **Termination**

4 FOR the purpose of altering the date of the termination provisions relating to statutory and
5 regulatory authority of the State Board of Physicians and certain allied health
6 advisory committees; altering the date of a certain evaluation provision relating to
7 the State Board of Physicians under the Maryland Program Evaluation Act (Sunset
8 Law); requiring the Office of Legislative Audits to conduct a certain performance
9 audit of the State Board of Physicians; ~~requiring the Office of Legislative Audits to~~
10 ~~report to the General Assembly on or before a certain date~~; making a conforming
11 change; and generally relating to the State Board of Physicians.

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.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, without amendments,

2 Article – Health Occupations

3 Section 14-201, 14-5A-05, 14-5B-05(a), 14-5C-05, 14-5D-04, 14-5E-05, and
4 14-5F-06

5 Annotated Code of Maryland

6 (2014 Replacement Volume and 2018 Supplement)

7 BY repealing and reenacting, with amendments,

8 Article – Health Occupations

9 Section 14-5A-25, 14-5B-21, 14-5C-25, 14-5D-20, 14-5E-25, 14-5F-32, and
10 14-702

11 Annotated Code of Maryland

12 (2014 Replacement Volume and 2018 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – State Government

15 Section 8-405(b)(5)

16 Annotated Code of Maryland

17 (2014 Replacement Volume and 2018 Supplement)

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

20 Article – Health Occupations

21 14-201.

22 There is a State Board of Physicians in the Department.

23 14-5A-05.

24 There is a Respiratory Care Professional Standards Committee within the Board.

25 14-5A-25.

26 Subject to the evaluation and reestablishment provisions of the Maryland Program
27 Evaluation Act and subject to the termination of this title under § 14-702 of this title, this
28 subtitle and all rules and regulations adopted under this subtitle shall terminate and be of
29 no effect after [July 1, 2023] JUNE 1, 2020.

30 14-5B-05.

31 (a) There is a Radiation Therapy, Radiography, Nuclear Medicine Technology,
32 and Radiology Assistance Advisory Committee within the Board.

33 14-5B-21.

1 Subject to the evaluation and reestablishment provisions of the Maryland Program
2 Evaluation Act, and subject to the termination of this title under § 14-702 of this title, this
3 subtitle and all rules and regulations adopted under this subtitle shall terminate and be of
4 no effect after [July 1, 2023] JUNE 1, 2020.

5 14-5C-05.

6 There is a Polysomnography Professional Standards Committee within the Board.

7 14-5C-25.

8 Subject to the evaluation and reestablishment provisions of the Maryland Program
9 Evaluation Act and subject to the termination of this title under § 14-702 of this title, this
10 subtitle and all regulations adopted under this subtitle shall terminate and be of no effect
11 after [July 1, 2023] JUNE 1, 2020.

12 14-5D-04.

13 There is an Athletic Trainer Advisory Committee within the Board.

14 14-5D-20.

15 Subject to the evaluation and reestablishment provisions of the Maryland Program
16 Evaluation Act and subject to the termination of this title under § 14-702 of this title, this
17 subtitle and all rules and regulations adopted under this subtitle shall terminate and be of
18 no effect after [July 1, 2023] JUNE 1, 2020.

19 14-5E-05.

20 There is a Perfusion Advisory Committee within the Board.

21 14-5E-25.

22 Subject to the evaluation and reestablishment provisions of the Maryland Program
23 Evaluation Act and subject to the termination of this title under § 14-702 of this title, this
24 subtitle and all regulations adopted under this subtitle shall terminate and be of no effect
25 after [July 1, 2023] JUNE 1, 2020.

26 14-5F-06.

27 There is a Naturopathic Medicine Advisory Committee within the Board.

28 14-5F-32.

1 Subject to the evaluation and reestablishment provisions of the Program Evaluation
 2 Act, this subtitle and all rules and regulations adopted under this subtitle shall terminate
 3 and be of no effect after [July 1, 2023] JUNE 1, 2020.

4 14-702.

5 Subject to the evaluation and reestablishment provisions of the Program Evaluation
 6 Act, this title and all rules and regulations adopted under this title shall terminate and be
 7 of no effect after [July 1, 2023] JUNE 1, 2020.

8 Article – State Government

9 8-405.

10 (b) Each of the following governmental activities or units and the statutes and
 11 regulations that relate to the governmental activities or units are subject to full evaluation,
 12 in the evaluation year specified, without the need for a preliminary evaluation:

13 (5) Physicians, State Board of (§ 14-201 of the Health Occupations Article:
 14 [2021] 2019), [including] AND:

15 (i) Athletic Training Advisory Committee (§ 14-5D-04 of the Health
 16 Occupations Article: 2021);

17 (ii) Naturopathic Medicine Advisory Committee (§ 14-5F-04 of the
 18 Health Occupations Article: 2021);

19 (iii) Perfusion Advisory Committee (§ 14-5E-05 of the Health
 20 Occupations Article: 2021);

21 (iv) Physician Assistant Advisory Committee (§ 15-201 of the Health
 22 Occupations Article: 2021);

23 (v) Polysomnography Professional Standards Committee
 24 (§ 14-5C-05 of the Health Occupations Article: 2021);

25 (vi) Radiation Therapy, Radiography, Nuclear Medicine Technology
 26 Advisory, and Radiology Assistance Committee (§ 14-5B-05 of the Health Occupations
 27 Article: 2021); and

28 (vii) Respiratory Care Professional Standards Committee
 29 (§ 14-5A-05 of the Health Occupations Article: 2021).

30 ~~SECTION 2. AND BE IT FURTHER ENACTED, That:~~

1 ~~(a) The Office of Legislative Audits shall conduct a performance audit of the State~~
2 ~~Board of Physicians to evaluate whether the Board is operating in an economic, efficient,~~
3 ~~and effective manner.~~

4 ~~(b) On or before January 1, 2020, the Office of Legislative Audits shall report to~~
5 ~~the General Assembly, in accordance with § 2-1246 of the State Government Article, on the~~
6 ~~audit of the State Board of Physicians.~~

7 SECTION ~~3~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 June 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.