

# HOUSE BILL 364

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By: **Delegates Saab and Cullison**

Introduced and read first time: January 22, 2020

Assigned to: Health and Government Operations

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Committee Report: Favorable

House action: Adopted

Read second time: February 25, 2020

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

1 AN ACT concerning

2 **Hospital and Nursing Facility Workers and Health Care Practitioners**  
3 **– Identification Tags and Badges – Name Requirement**

4 FOR the purpose of specifying the form of name required to be indicated on the personal  
5 identification tag required to be worn by a certain employee or other individual who  
6 provides certain services in a hospital or nursing facility; specifying the form of  
7 names required to be displayed on the badge or other form of identification required  
8 to be worn by a health care practitioner when providing certain care to a patient in  
9 certain facilities; making a conforming change; and generally relating to  
10 identification tags and badges of hospital and nursing facility workers and health  
11 care practitioners.

12 BY repealing and reenacting, with amendments,  
13 Article – Health – General  
14 Section 19–308.4  
15 Annotated Code of Maryland  
16 (2019 Replacement Volume)

17 BY repealing and reenacting, with amendments,  
18 Article – Health Occupations  
19 Section 1–221  
20 Annotated Code of Maryland  
21 (2014 Replacement Volume and 2019 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

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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 That the Laws of Maryland read as follows:

2 **Article – Health – General**

3 19–308.4.

4 (a) Each hospital or nursing facility in the State shall ensure that its employees  
5 and any other individuals who provide a health care service within or on the premises of  
6 the hospital or nursing facility wear a personal identification tag, except where  
7 inappropriate for medical reasons, that indicates in readable text:

8 (1) The **FIRST NAME, NICKNAME, LAST NAME, OR FULL** name of the  
9 individual **THAT IS COMMONLY USED IN THE HOSPITAL OR NURSING FACILITY**; and

10 (2) The professional or other title of the individual.

11 (b) The Secretary may impose a fine not to exceed \$25 per violation of this section.

12 **Article – Health Occupations**

13 1–221.

14 (a) In this section, “health care practitioner” means a person who is licensed,  
15 certified, or otherwise authorized under this article to provide health care services in the  
16 ordinary course of business or practice of a profession.

17 (b) This section applies only to a health care practitioner who practices in:

18 (1) A freestanding ambulatory care facility;

19 (2) A physician’s office; or

20 (3) An urgent care facility.

21 (c) Except as provided in subsection (d) of this section, when providing health  
22 care to a patient, a health care practitioner shall wear a badge or other form of identification  
23 displaying in readily visible type:

24 (1) The health care practitioner’s **FIRST NAME, NICKNAME, LAST NAME,**  
25 **OR FULL** name **THAT IS COMMONLY USED IN THE OFFICE OR FACILITY**; and

26 (2) The type of license of the health care practitioner.

27 (d) A badge or other form of identification is not required to be worn if:

28 (1) (i) The patient is being seen in the office of a health care practitioner  
29 who is a solo practitioner; and

1 (ii) The name and license of the health care practitioner can be  
2 readily determined by the patient from a posted license or sign in the office; or

3 (2) The patient is being seen in:

4 (i) An operating room or other setting where surgical or other  
5 invasive procedures are performed; or

6 (ii) Any other setting where maintaining a sterile environment is  
7 medically necessary.

8 (e) (1) Each health occupations board may adopt regulations to implement this  
9 section.

10 (2) The regulations, when necessary for the patient or health care  
11 practitioner’s safety or for therapeutic concerns may[:

12 (i) Provide] **PROVIDE** exemptions from wearing a badge or other  
13 form of identification]; or

14 (ii) Allow use of the health care practitioner’s first name only].

15 (3) A violation may be reported to the health occupations board that  
16 licensed or certified the health care practitioner.

17 (4) In response to a reported violation, a health occupations board may  
18 send an advisory letter or a letter of education to the health care practitioner.

19 (f) An advisory letter or letter of education sent by a health occupations board  
20 under this section is confidential and may not be publicly reported as a disciplinary action.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2020.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.