

SENATE BILL 200

J2

3lr1638

By: Senator Lam (By Request – State Board of Chiropractic Examiners)

Introduced and read first time: January 20, 2023

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – State Board of Chiropractic Examiners – Disciplinary**
3 **Actions and Procedures**

4 FOR the purpose of authorizing the State Board of Chiropractic Examiners to deny a license
5 to an applicant or take certain action against a licensee for failure to follow an order
6 of the Board; prohibiting a Board order from being stayed pending judicial review;
7 authorizing the Board to appeal a decision that reverses or modifies its order;
8 authorizing the Board to reinstate a suspended or revoked license only under certain
9 circumstances; and generally relating to chiropractors.

10 BY repealing and reenacting, with amendments,
11 Article – Health Occupations
12 Section 3–313(28) and (29) and 3–316
13 Annotated Code of Maryland
14 (2021 Replacement Volume and 2022 Supplement)

15 BY adding to
16 Article – Health Occupations
17 Section 3–313(30) and 3–317
18 Annotated Code of Maryland
19 (2021 Replacement Volume and 2022 Supplement)

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

22 **Article – Health Occupations**

23 3–313.

24 Subject to the hearing provisions of § 3–315 of this subtitle, the Board may deny a
25 license to any applicant, reprimand any licensee, place any licensee on probation, with or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 without conditions, or suspend or revoke a license, or any combination thereof, if the
2 applicant or licensee:

3 (28) Violates any provision of this title; [or]

4 (29) Fails to submit to a criminal history records check in accordance with §
5 3–302.1 of this subtitle; OR

6 **(30) FAILS TO COMPLY WITH ANY BOARD ORDER.**

7 3–316.

8 (a) Except as provided in this section for an action under § 3–313 of this subtitle,
9 any person aggrieved by a final decision of the Board in a contested case, as defined in the
10 Administrative Procedure Act, may petition for judicial review as allowed by the
11 Administrative Procedure Act.

12 (b) Any person aggrieved by a final decision of the Board under § 3–313 of this
13 subtitle may not appeal to the Secretary but may take a direct judicial appeal as provided
14 in the Administrative Procedure Act.

15 **(C) AN ORDER OF THE BOARD MAY NOT BE STAYED PENDING JUDICIAL**
16 **REVIEW.**

17 **(D) THE BOARD MAY APPEAL ANY DECISION THAT REVERSES OR MODIFIES**
18 **ITS ORDER.**

19 **3–317.**

20 **IF A LICENSE HAS BEEN SUSPENDED OR REVOKED UNDER § 3–313 OF THIS**
21 **SUBTITLE, THE BOARD MAY REINSTATE THE LICENSE ONLY IN ACCORDANCE WITH:**

22 (1) **THE TERMS AND CONDITIONS OF THE ORDER OF SUSPENSION OR**
23 **REVOCATION; OR**

24 (2) **AN ORDER OF REINSTATEMENT ISSUED BY THE BOARD.**

25 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
26 **October 1, 2023.**