

SENATE BILL 258

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3lr1584
CF 3lr2364

By: **Senator Lam**

Introduced and read first time: January 25, 2023

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Hospital Credentialing – Reappointment Process for Physician Staff –**
3 **Modification**

4 FOR the purpose of requiring that the credential reappointment process for physician staff
5 included in certain minimum standards for hospitals licensed in the State be
6 conducted in accordance with standards of the accreditation body that accredits a
7 hospital, rather than with a certain frequency; and generally relating to the
8 credentialing process for hospital physician staff.

9 BY repealing and reenacting, without amendments,
10 Article – Health – General
11 Section 19–319(e)(2) and (7)
12 Annotated Code of Maryland
13 (2019 Replacement Volume and 2022 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Health – General
16 Section 19–319(e)(4)
17 Annotated Code of Maryland
18 (2019 Replacement Volume and 2022 Supplement)

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

21 **Article – Health – General**

22 19–319.

23 (e) (2) As a condition of licensure, each hospital shall:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) Establish a credentialing process for the physicians who are
2 employed by or who have staff privileges at the hospital; and

3 (ii) Use the uniform standard credentialing form as the initial
4 application of a physician seeking to be credentialed.

5 (4) (I) The Secretary shall, by regulation and in consultation with
6 hospitals, physicians, interested community and advocacy groups, and representatives of
7 the Maryland Defense Bar and Plaintiffs' Bar, establish minimum standards for a
8 credentialing process which shall include:

9 [(i)] 1. A formal written appointment process documenting the
10 physician's education, clinical expertise, licensure history, insurance history, medical
11 history, claims history, and professional experience[.];

12 [(ii)] 2. A requirement that an initial appointment to staff not be
13 complete until the physician has successfully completed a probationary period[.]; AND

14 [(iii)] 3. [A] SUBJECT TO SUBPARAGRAPH (II) OF THIS
15 PARAGRAPH, A formal, written reappointment process to be conducted [at least every 2
16 years] IN ACCORDANCE WITH STANDARDS OF THE ACCREDITATION BODY THAT
17 ACCREDITS A HOSPITAL.

18 (II) The reappointment process ESTABLISHED UNDER
19 SUBPARAGRAPH (I)3 OF THIS PARAGRAPH shall document the physician's pattern of
20 performance by analyzing:

- 21 1. Claims filed against the physician;
- 22 2. Data dealing with utilization, quality, and risk;
- 23 3. Clinical skills;
- 24 4. Adherence to hospital bylaws, policies, and procedures;
- 25 5. Compliance with continuing education requirements;
- 26 6. Mental and physical status; and
- 27 7. The results of the practitioner performance evaluation
28 process under subsection (i) of this section.

29 (7) If a hospital fails to establish or maintain a credentialing process
30 required under this subsection, the Secretary may impose the following penalties:

- 31 (i) Delicensure of the hospital; or

1 (ii) \$500 per day for each day the violation continues.

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