Article - Health Occupations

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§14–101. IN EFFECT

(a) In this title the following words have the meanings indicated.

(a–1) "Advisory committee" means a committee appointed by the Board that includes members of a profession regulated under this title or Title 15 of this article and formed to:

(1) Further the Board's regulation of applicants and licensees of the regulated profession;

(2) Assist the Board in protecting the health, safety, and welfare of the public; and

(3) Make recommendations about the regulated profession to the Board on request.

(a–2) "Allied health professional" means an individual licensed by the Board under Subtitle 5A, 5B, 5C, 5D, 5E, 5F, or 5G of this title or Title 15 of this article.

(a–3) "Alternative health system" has the meaning stated in § 1–401 of this article.

(a–4) "Applicant" means, unless the context requires otherwise, an individual applying for initial licensure, renewal, or reinstatement as a physician or an allied health professional in the State.

(b) "Board" means the State Board of Physicians.

(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;

(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; or

(2) 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:

1. The member board of the American Board of Medical Specialties;

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.

(d) "Civil action" includes a health care malpractice claim under Title 3, Subtitle 2A of the Courts Article.

(d–1) "Compact physician" means a physician licensed under the Interstate Medical Licensure Compact established under § 14–3A–01 of this title.

(e) (1) "Cosmetic surgical procedure" means the use of surgical services to reshape the structure of a human body in order to change the appearance of an individual.

(2) Except as provided in paragraph (3) of this subsection, "cosmetic surgical procedure" does not include:

(i) A procedure done under local anesthesia or mild sedation; or

(ii) Liposuction that removes less than 1,000 cubic centimeters of aspirate.

(3) "Cosmetic surgical procedure" includes any procedure under paragraph (2) of this subsection that, under the circumstances established by the Secretary in regulations adopted under Title 19, Subtitle 3C of the Health – General Article, is a cosmetic surgical procedure.

(e–1) "Disciplinary panel" means a disciplinary panel of the Board established under § 14–401 of this title.

(e–2) "Employer" means a person that enters an arrangement for professional services, whether paid or unpaid or contractual or otherwise, with an individual licensed under this title or Title 15 of this article.

(f) "Hospital" has the meaning stated in § 19–301 of the Health – General Article.

(g) "License" means, unless the context requires otherwise, a license issued by the Board to practice medicine or an allied health profession regulated by the Board.

(h) "Licensed physician" means, unless the context requires otherwise, a physician, including a doctor of osteopathy, who is licensed by the Board to practice medicine.

(i) "Licensee" means an individual to whom the Board issues a license, including an individual practicing medicine within or as a professional corporation or professional association.

(j) "MedChi" means the Maryland State Medical Society.

(k) "Mild sedation" means a drug–induced state during which:

(1) A patient is able to respond to verbal commands;

(2) A patient's ventilatory and cardiovascular functions are not affected; and

(3) A patient's cognitive function and coordination may be impaired.

(l) "Perform acupuncture" means to stimulate a certain point or points on or near the surface of the human body by the insertion of needles to prevent or modify the perception of pain or to normalize physiological functions, including pain control, for the treatment of ailments or conditions of the body.

(m) "Physician" means an individual who practices medicine.

(n) "Physician assistant" means an individual licensed under Title 15 of this article to practice as a physician assistant.

(o) (1) "Practice medicine" means to engage, with or without compensation, in medical:

(i) Diagnosis;

(ii) Healing;

(iii) Treatment; or

(iv) Surgery.

(2) "Practice medicine" includes doing, undertaking, professing to do, and attempting any of the following:

(i) Diagnosing, healing, treating, preventing, prescribing for, or removing any physical, mental, or emotional ailment or supposed ailment of an individual:

1. By physical, mental, emotional, or other process that is exercised or invoked by the practitioner, the patient, or both; or

2. By appliance, test, drug, operation, or treatment;

(ii) Ending of a human pregnancy; and

(iii) Performing acupuncture as provided under § 14–504 of this title.

(3) "Practice medicine" does not include:

(i) Selling any nonprescription drug or medicine;

(ii) Practicing as an optician; or

(iii) Performing a massage or other manipulation by hand, but by no other means.

(p) "Registered cardiovascular invasive specialist" means an individual who is credentialed by Cardiovascular Credentialing International or another

credentialing body approved by the Board to assist in cardiac catheterization procedures in a hospital under the direct, in–person supervision of a licensed physician.

(q) "Rehabilitation Program" means the program of the Board or the nonprofit entity with which the Board contracts under § 14–401.1(g) of this title that evaluates and provides assistance to impaired physicians and allied health professionals who are directed by the Board to receive treatment and rehabilitation for alcoholism, chemical dependency, or other physical, emotional, or mental conditions.

(r) "Related institution" has the meaning stated in § 19–301 of the Health – General Article.

§14–101. // EFFECTIVE JUNE 30, 2030 PER CHAPTER 313 OF 2022 //

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