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**STATE OF MARYLAND**  
**OFFICE OF THE ATTORNEY GENERAL**  
**CONSUMER PROTECTION DIVISION**

March 3, 2021

To: The Honorable Dereck E. Davis  
Chair, Economic Matters Committee

From: The Office of the Attorney General's Consumer Protection Division

Re: House Bill 1153 (Names of Entities With Physician Membership –  
Approval Requirement – Exemption): Oppose

The Office of the Attorney General's Consumer Protection Division opposes House Bill 1153 which would appear to shift to the Consumer Protection Division certain duties under the Corporations and Associations Article that are currently the responsibility of the Board of Physicians, as well as impose duties relating to all occupation health boards which are housed in the Department of Health.

Currently, the State Department of Assessments and Taxation (SDAT) forwards applications for names of professional entities whose members are licensed physicians to the Board of Physicians for approval. This bill would eliminate the requirement that the Board of Physicians approve the name. The applications would continue to be forwarded by SDAT to the Board of Physicians which, under the bill, may (1) take no action; (2) open a disciplinary investigation; or (3) if there is reason to believe that the name violates the Consumer Protection Act, make a referral to the Division for further action. Although matters arising under the Consumer Protection Act are within the Division's jurisdiction, the Division does not have unfettered access to the information about health care providers and health care markets, including the established ethical standards, rules, and regulations of the professions, that is available to the health occupation boards and the Department of Health, and lacks the resources that have been employed in the past to fulfill the duty at issue.

The Consumer Protection Division will continue to accept referrals of potential Consumer Protection Act violations but should not be the entity responsible for vetting

corporate names in the first instance. We respectfully suggest the status quo be maintained and urge an unfavorable report.

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