



Board of Physicians

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

Damean W.E. Freas Board Chair – Christine Farrelly, Executive Director
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2022 SESSION POSITION PAPER

BILL NO.: SB 230

TITLE: Health Occupations Boards – Service Members, Veterans, and Military Spouses – Temporary Licensure, Certification, Registration and Permitting

COMMITTEE: Education, Health and Environmental Affairs Committee

POSITION: Letter of Opposition

TITLE: Health Occupations Boards – Service Members, Veterans, and Military Spouses – Temporary Licensure, Certification, Registration and Permitting

BILL ANALYSIS: SB 230 requires certain health occupations boards, including the Maryland Board of Physicians (the Board), to issue an expedited temporary license to a service member, veteran, or military spouse who meets certain requirements. The bill also permits a health occupations board to apply to the Secretary of Health for approval of an alternate process for licensure that does not meet certain requirements.

POSITION AND RATIONALE:

It is the Board's position that no changes are needed to Title 1, Subtitle 7 of the Health Occupations (H.O.) Article to expedite the processing of licensure applications submitted by service members, veterans, and military spouses. Pursuant to legislation passed in 2013, the Board has developed procedures to expedite all licenses for service members and spouses, and the process is working well to expedite such licensure. For example, 99% of licenses are issued within 10 days of the Board receiving the last qualifying document.

In addition, the Board already offers several pathways for expedited physician licensure through reciprocity or through the Interstate Medical Licensure Compact. The Board also implemented an online application for physicians and the Uniform Application, and the Board accepts credentials through the Federations Credentialing Verification Service (FCVS). The Board is currently working on other expedited methods such as licensure by endorsement and online applications for all practitioners. For a physician with a valid license in another State, licensure by endorsement will require a brief application and a criminal history records check be completed by the applicant and the Board will verify credentials. Furthermore, the Board, in November 2021, approved the drafting of regulations to further ease the licensure process for service members and spouses. For example, these future regulatory changes could include, but

not be limited to, certain fee reductions and deferments of continuing education requirements for individuals on deployment.

The Board does not issue temporary licenses for any practitioners regulated by the Board. Issuing a temporary license and then a full license will slow the process down rather than expedite it. The expedited temporary license described in the bill essentially creates a new licensure category that would require two new Board positions (one licensure analyst for physicians and one for allied health practitioners), an overhaul of the Board's licensure system and Web-based practitioner profile system, and development of a new application for an expedited temporary license. The Board also would need to promulgate regulations.

The Board has concerns about the criminal history records check (CHRC) language on Page 4, Lines 17-18, regarding an applicant having completed a CHRC "within 1 year before the date of application." Even if an applicant has completed a CHRC in the past year for another agency, CHRCs cannot be shared among jurisdictions, so the language in SB 230 does not appear to comply with Board statute (H.O. Article, 14-308.1), which requires an applicant to complete a CHRC for purposes of Board licensure.

Finally, the bill does not address expiration or renewal of a temporary license. The lack of such language creates a potential burden for the Board to investigate whether an individual is practicing a health occupation without a license, if the temporary license is not active and full licensure remains pending.

There are no issues with the Board's current licensure process. Therefore, the Board requests that the committee vote SB 230 as unfavorable.

For more information, contact Matthew Dudzic, Health Policy Analyst, Maryland Board of Physicians, 410-764-5042.

Sincerely,

A handwritten signature in blue ink, appearing to read "Damean W. E. Freas".

Damean W. E. Freas, D.O.
Chair, Maryland Board of Physicians

The opinion of the Boards expressed in this document does not necessarily reflect that of the Maryland Department of Health or the Administration.