



Board of Physicians

Wes Moore, Governor · Aruna Miller, Lt. Governor · Harbhajan Ajrawat, M.D., Chair

2025 SESSION POSITION PAPER

BILL NO.: HB 1279 - State Agencies - Adoption of Regulations - Required
COMMITTEE: Health and Government Operations
POSITION: Letter of Concern

POSITION & RATIONALE:

The Maryland Board of Physicians (the Board) is respectfully submitting this Letter of Concern for House Bill (HB) 1279 - State Agencies - Adoption of Regulations - Required. HB 1279 requires the completed adoption of regulations before a unit of state government can charge a fee or other payment.

The Board has concerns that the inability to charge fees prior to completed regulations will have negative effects on the Board, health care practitioners, and the public.

The regulation promulgation process is time consuming. Under State Government, § 10-110, Annotated Code of Maryland, there is a public process required for regulations, including publication in the Maryland Register and a public comment period. The Board has additional internal processes for regulations, such as discussing at public Board meetings, posting to the Board's website to solicit public comments, and consulting stakeholders. While necessary to ensure sufficient transparency, it does take time to complete all the steps.

The process can also be delayed at any point for a variety of reasons, which further adds to the concern. The Board has experienced delays of 4 years between when regulations were approved by the Board and completion. For example, the Board approved promulgating regulations to establish administrative expungement for physicians in 2021, and these regulations will be effective in 2025.

If the Board is required to wait until the regulations are completed before charging fees or other payments, it would delay the Board from being able to license practitioners, especially when a new licensure group is added. This delay would negatively impact access to care as practitioners will be unable to get licensed and care for patients.

Alternatively, the Board would be required to license practitioners without charging a fee or other payment. The Board is special-funded and uses licensure fees to fund its operations (Health Occupations, § 14-207, Annotated Code of Maryland). The potential inability to set fees as needed could have a significant negative fiscal impact on the Board and its ability to function.

Thank you for your consideration. For more information, please contact Madeline DelGreco, Health Policy Analyst, at 410-764-5053.

Sincerely,

A handwritten signature in cursive script that reads "Jugh Ajrawat".

Harbhajan Ajrawat, M.D.
Chair, Maryland Board of Physicians

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