

**Department of Legislative Services**  
Maryland General Assembly  
2016 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 185 (Delegate Morhaim, *et al.*)  
Health and Government Operations

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**State Board of Physicians - Licensed Physicians - Continuing Education Requirements**

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This bill prohibits the State Board of Physicians (MBP) from establishing, as a continuing education requirement, that every licensed physician complete a specific course or program as a condition of license renewal.

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**Fiscal Summary**

**State Effect:** The bill does not materially affect State operations or finances.

**Local Effect:** None.

**Small Business Effect:** Minimal. Physicians may no longer be required to take a course or program on opioid prescribing.

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**Analysis**

**Current Law:** The mission of MBP is to assure quality health care in Maryland through the efficient licensure and effective discipline of health providers under its jurisdiction, by protecting and educating clients/customers and stakeholders and enforcing the Maryland Medical Practice Act. The board has regulatory authority over physicians, physician assistants, radiographers, radiation therapists, nuclear medicine technologists, radiologist assistants, respiratory care practitioners, polysomnographic technologists, athletic trainers, perfusionists, and naturopathic doctors.

MBP's regulations require physicians to renew their licenses every two years. Additionally, physicians must complete at least 50 hours of continuing education per

renewal cycle as a condition of license renewal. Continuing education must meet specified criteria in order to qualify for credit. Additionally, physicians must retain documentation of continuing education completion for six years, for possible inspection by MBP.

**Background:** In 2015, MBP began requiring physicians and physician assistants to complete one hour of continuing education per renewal cycle on prescribing opioids. The requirement was implemented in response to the growing number of heroin and opioid-related deaths in the State. (According to the Department of Health and Mental Hygiene, opioid-related deaths increased by 76% between 2010 and 2014, and heroin-related deaths more than doubled during this time period.) This continuing education requirement applies regardless of specialty, prescribing authority, workplace setting, or location. MBP provides a list of possible courses on its website; however, MBP accepts any course not on this list if it is related to opioid prescribing.

Effective for the 2015 renewal cycle, the State Board of Dental Examiners also requires dentists to complete a two-hour continuing education course on proper prescribing and disposal of prescription drugs. In its December 2015 final report, the Governor's Heroin and Opioid Emergency Task Force recommended that the Board of Podiatric Medical Examiners and the Board of Nursing also require licensees to complete one hour of continuing education on opioid prescribing, and that the Board of Pharmacy require licensees to complete one hour of continuing education on opioid dispensing.

**Additional Comments:** Although MBP's continuing education mandate applies to both physicians and physician assistants, the bill's prohibition only applies to continuing education requirements for physicians.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Health and Mental Hygiene, Heroin and Opioid Emergency Task Force, Department of Legislative Services

**Fiscal Note History:** First Reader - February 8, 2016  
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