

SENATE BILL 258

J3

3lr1584
CF HB 633

By: **Senator Lam**

Introduced and read first time: January 25, 2023

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: February 25, 2023

CHAPTER _____

1 AN ACT concerning

2 **Hospital Credentialing – Reappointment Process for Physician Staff –**
3 **Modification**

4 FOR the purpose of requiring that the credential reappointment process for physician staff
5 included in certain minimum standards for hospitals licensed in the State be
6 conducted in accordance with standards of the accreditation body that accredits a
7 hospital, rather than with a certain frequency; and generally relating to the
8 credentialing process for hospital physician staff.

9 BY repealing and reenacting, without amendments,
10 Article – Health – General
11 Section 19–319(e)(2) and (7)
12 Annotated Code of Maryland
13 (2019 Replacement Volume and 2022 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Health – General
16 Section 19–319(e)(4)
17 Annotated Code of Maryland
18 (2019 Replacement Volume and 2022 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Health – General**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 19-319.

2 (e) (2) As a condition of licensure, each hospital shall:

3 (i) Establish a credentialing process for the physicians who are
4 employed by or who have staff privileges at the hospital; and

5 (ii) Use the uniform standard credentialing form as the initial
6 application of a physician seeking to be credentialed.

7 (4) (I) The Secretary shall, by regulation and in consultation with
8 hospitals, physicians, interested community and advocacy groups, and representatives of
9 the Maryland Defense Bar and Plaintiffs' Bar, establish minimum standards for a
10 credentialing process which shall include:

11 [(i)] 1. A formal written appointment process documenting the
12 physician's education, clinical expertise, licensure history, insurance history, medical
13 history, claims history, and professional experience[.];

14 [(ii)] 2. A requirement that an initial appointment to staff not be
15 complete until the physician has successfully completed a probationary period[.]; AND

16 [(iii)] 3. [A] SUBJECT TO SUBPARAGRAPH (II) OF THIS
17 PARAGRAPH, A formal, written reappointment process to be conducted [at least every 2
18 years] IN ACCORDANCE WITH STANDARDS OF THE ACCREDITATION BODY THAT
19 ACCREDITS A HOSPITAL.

20 (II) The reappointment process ESTABLISHED UNDER
21 SUBPARAGRAPH (I)3 OF THIS PARAGRAPH shall document the physician's pattern of
22 performance by analyzing:

23 1. Claims filed against the physician;

24 2. Data dealing with utilization, quality, and risk;

25 3. Clinical skills;

26 4. Adherence to hospital bylaws, policies, and procedures;

27 5. Compliance with continuing education requirements;

28 6. Mental and physical status; and

29 7. The results of the practitioner performance evaluation
30 process under subsection (i) of this section.

1 (7) If a hospital fails to establish or maintain a credentialing process
2 required under this subsection, the Secretary may impose the following penalties:

3 (i) Delicensure of the hospital; or

4 (ii) \$500 per day for each day the violation continues.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.