

# SENATE BILL 506

J2

4lr1376

---

By: **Senator West**

Introduced and read first time: January 24, 2024

Assigned to: Finance

---

## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Physicians – Discipline – Administrative Expungement**

3 FOR the purpose of requiring the State Board of Physicians to adopt regulations  
4 authorizing a licensed physician to file an application for administrative  
5 expungement of a disciplinary record with the Board and establishing a process for  
6 the grant or denial of an administrative expungement; and generally relating to  
7 discipline by the State Board of Physicians.

8 BY adding to

9 Article – Health Occupations

10 Section 14–417

11 Annotated Code of Maryland

12 (2021 Replacement Volume and 2023 Supplement)

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

15 **Article – Health Occupations**

16 **14–417.**

17 **(A) IN THIS SECTION, “ADMINISTRATIVE EXPUNGEMENT” MEANS THE**  
18 **CLASSIFICATION OF A RECORD BY THE BOARD AS CONFIDENTIAL, NOT FOR PUBLIC**  
19 **RELEASE, AND REMOVED FROM A LICENSED PHYSICIAN’S PUBLIC INDIVIDUAL**  
20 **PROFILE.**

21 **(B) THE BOARD SHALL ADOPT REGULATIONS THAT:**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(1) AUTHORIZE A LICENSED PHYSICIAN TO FILE WITH THE BOARD AN**  
2 **APPLICATION FOR ADMINISTRATIVE EXPUNGEMENT OF A DISCIPLINARY RECORD;**  
3 **AND**

4           **(2) ESTABLISH A PROCESS FOR THE GRANT OR DENIAL OF**  
5 **ADMINISTRATIVE EXPUNGEMENT.**

6           **(C) THE REGULATIONS ADOPTED UNDER SUBSECTION (B) OF THIS SECTION**  
7 **SHALL REQUIRE THAT AT LEAST 3 YEARS HAVE ELAPSED SINCE THE DATE OF THE**  
8 **IMPOSITION OF AN ADMINISTRATIVE ACTION BEFORE A LICENSED PHYSICIAN MAY**  
9 **FILE AN APPLICATION.**

10          **(D) THE REGULATIONS ADOPTED UNDER SUBSECTION (B) OF THIS SECTION**  
11 **MAY ALLOW FOR ADMINISTRATIVE EXPUNGEMENT OF ONLY ADMINISTRATIVE**  
12 **ACTIONS IMPOSED FOR:**

13           **(1) FAILURE TO COMPLETE CONTINUING MEDICAL EDUCATION**  
14 **REQUIREMENTS UNDER § 14-316(D) OF THIS TITLE;**

15           **(2) FAILURE TO RENEW A LICENSE ON TIME UNDER § 14-606(A)(5) OF**  
16 **THIS TITLE;**

17           **(3) FAILURE TO NOTIFY THE BOARD IN WRITING OF CHANGE OF**  
18 **NAME OR ADDRESS WITHIN THE TIME REQUIRED UNDER § 14-316(F) OF THIS TITLE;**  
19 **OR**

20           **(4) AN OFFENSE FOR WHICH:**

21           **(I) A PERIOD OF PROBATION WAS IMPOSED ON THE LICENSED**  
22 **PHYSICIAN; AND**

23           **(II) THE PROBATIONARY PERIOD WAS FULLY AND**  
24 **SATISFACTORILY COMPLETED.**

25          **(E) THE REGULATIONS ADOPTED UNDER SUBSECTION (B) OF THIS SECTION**  
26 **MAY NOT ALLOW THE BOARD TO GRANT ADMINISTRATIVE EXPUNGEMENT OF AN**  
27 **ADMINISTRATIVE ACTION THAT SUSPENDED OR REVOKED THE LICENSE OF A**  
28 **PHYSICIAN.**

29          **(F) THE REGULATIONS MAY NOT PROHIBIT THE BOARD FROM:**

30           **(1) USING A BOARD RECORD, PREVIOUS SANCTION, OR**  
31 **DISCIPLINARY ACTION FOR ANY REGULATORY PURPOSE; OR**

1                   **(2) RELEASING RECORDS TO LAW ENFORCEMENT OR ANOTHER**  
2 **GOVERNMENTAL BODY AS AUTHORIZED BY LAW.**

3                   SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Physicians  
4 shall adopt the regulations required under § 14–417 of the Health Occupations Article, as  
5 enacted by Section 1 of this Act, on or before December 1, 2024.

6                   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
7 1, 2024.