

# SENATE BILL 747

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By: **Senators Middleton, Conway, and Dyson**

Introduced and read first time: February 1, 2013

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Rules of Interpretation – Interpretation of “Physician” – Inclusion of**  
3 **Advanced Practice Nurse and Physician Assistant**

4 FOR the purpose of requiring that, under certain circumstances, the term “physician”  
5 be interpreted to includes an “advanced practice nurse” and a “physician  
6 assistant”; prohibiting, under certain circumstances, a requirement for  
7 additional authorization of a unit of State government to endorse a document  
8 under the application of a certain provision of this Act; providing for the  
9 construction and application of this Act; defining certain terms; and generally  
10 relating to the interpretation of “physician” under State law.

11 BY adding to

12 Article 1 – Rules of Interpretation

13 Section 34A

14 Annotated Code of Maryland

15 (2011 Replacement Volume and 2012 Supplement)

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

18 **Article 1 – Rules of Interpretation**

19 **34A.**

20 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
21 **MEANINGS INDICATED.**

22 **(2) “ADVANCED PRACTICE NURSE” HAS THE MEANING INDICATED**  
23 **IN § 8–101 OF THE HEALTH – OCCUPATIONS ARTICLE.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(3) “PHYSICIAN ASSISTANT” HAS THE MEANING INDICATED IN §**  
2 **15-101 OF THE HEALTH – OCCUPATIONS ARTICLE.**

3           **(4) “UNIT” MEANS A DEPARTMENT, AN AGENCY, A BOARD, AN**  
4 **OFFICE OR ANY OTHER BODY IN STATE GOVERNMENT.**

5           **(B) THIS SECTION MAY NOT BE CONSTRUED TO EXPAND THE SCOPE OF**  
6 **PRACTICE OF AN ADVANCED PRACTICE NURSE OR A PHYSICIAN ASSISTANT.**

7           **(C) IF A PROVISION OF STATE LAW OR AN IMPLEMENTING OR**  
8 **INTERPRETIVE TRANSMITTAL, NOTICE, FORM, POLICY, PROCEDURE, OR OTHER**  
9 **DOCUMENT PREPARED INCLUDING AN ORAL AUTHORIZATION THAT IS**  
10 **DOCUMENTED, IN ACCORDANCE WITH STATE LAW, REQUIRES OR REFERS TO A**  
11 **SIGNATURE, A CERTIFICATION, A VERIFICATION, AN AFFIDAVIT, OR ANY OTHER**  
12 **ENDORSEMENT BY A PHYSICIAN, THE TERM “PHYSICIAN” SHALL BE**  
13 **INTERPRETED TO INCLUDE AN ADVANCED PRACTICE NURSE AND A PHYSICIAN**  
14 **ASSISTANT.**

15           **(D) IF THE APPLICATION OF SUBSECTION (C) OF THIS SECTION IS**  
16 **CONSISTENT WITH THE SCOPE OF PRACTICE OF THE ADVANCED PRACTICE**  
17 **NURSE OR PHYSICIAN ASSISTANT, ADDITIONAL AUTHORIZATION FROM A UNIT**  
18 **TO ENDORSE A DOCUMENT UNDER THE APPLICATION OF SUBSECTION (C) OF**  
19 **THIS SECTION MAY NOT BE REQUIRED.**

20           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
21 construed to apply retroactively and shall be applied to and interpreted to affect all  
22 documents prepared or written in accordance with State law before the effective date  
23 of this Act.

24           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2013.