

SENATE BILL 897

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By: **Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2012

CHAPTER _____

1 AN ACT concerning

2 **State Board of Physicians – Allied Health Advisory Committees – Sunset**
3 **Extension and Program Evaluation**

4 FOR the purpose of continuing certain allied health advisory committees under the
5 State Board of Physicians in accordance with the provisions of the Maryland
6 Program Evaluation Act (Sunset Law) by extending to a certain date the
7 termination provisions relating to the statutory and regulatory authority of the
8 committees; altering to a certain date the termination provision related to the
9 Perfusion Advisory Committee; requiring certain chairs of certain committees to
10 serve in a certain capacity to the Board and present to the Board certain annual
11 reports; prohibiting certain individuals from providing certain services to
12 certain committees or to the Board under certain circumstances; prohibiting
13 certain individuals from being appointed to certain committees under certain
14 circumstances; requiring certain committees to submit certain annual reports to
15 the Board; requiring the Board to consider all recommendations of certain
16 committees, provide a certain explanation to certain committees under certain
17 circumstances, and provide a certain report to certain committees a certain
18 number of times each year; requiring the Board to disclose certain filings of
19 charges and initial denials of licensure on the Board's Web site; requiring the
20 Board to create and maintain certain profiles that include certain information
21 on the Board's Web site; requiring that license profiles include a certain
22 disclaimer; requiring the Board to forward a written copy of certain profiles to a
23 person under certain circumstances; requiring the Board to provide a
24 mechanism for correcting errors in certain profiles; requiring the

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 Polysomnography Professional Standards Committee to elect a chair every
2 certain number of years; repealing the requirement that the Board assess a
3 certain fee under certain circumstances; requiring the Board to develop and
4 implement a certain recruitment plan on or before a certain date; requiring the
5 Board, in consultation with certain persons, to adopt certain regulations on or
6 before a certain date; requiring the Board to issue a license to an individual
7 under a certain provision of law under certain circumstances; requiring the
8 Board to submit a certain report to the Department of Legislative Services;
9 providing for the effective date of certain provisions of this Act; and generally
10 relating to the Athletic Trainer Advisory Committee, Respiratory Care
11 Professional Standards Committee, the Radiation Therapy, Radiography,
12 Nuclear Medicine Technology, and Radiology Assistance Advisory Committee,
13 the Polysomnography Professional Standards Committee, the Perfusion
14 Advisory Committee, and the Physician Assistant Advisory Committee under
15 the State Board of Physicians.

16 BY repealing and reenacting, with amendments,
17 Article – Health Occupations
18 Section 14–5A–06(d), 14–5A–07, 14–5A–25, 14–5B–05(c), 14–5B–06, 14–5B–21,
19 14–5C–07, 14–5C–25, 14–5D–05(e), 14–5D–06, 14–5D–20, 15–202(e),
20 15–205, and 15–502
21 Annotated Code of Maryland
22 (2009 Replacement Volume and 2011 Supplement)

23 BY adding to
24 Article – Health Occupations
25 Section 14–5A–06(e), 14–5A–18.1, 14–5B–05(f), 14–5B–15.1, 14–5C–06(d) and
26 (e), 14–5C–18.1, 14–5D–05(f), 14–5D–16.1, 15–202(f), and 15–316.1
27 Annotated Code of Maryland
28 (2009 Replacement Volume and 2011 Supplement)

29 BY repealing
30 Article – Health Occupations
31 Section 15–310(e)
32 Annotated Code of Maryland
33 (2009 Replacement Volume and 2011 Supplement)

34 BY repealing and reenacting, with amendments,
35 Article – Health Occupations
36 Section 14–5E–06(d), 14–5E–07, and 14–5E–25
37 Annotated Code of Maryland
38 (2009 Replacement Volume and 2011 Supplement)
39 (As enacted by Chapter 588 of the Acts of the General Assembly of 2011)

40 BY adding to
41 Article – Health Occupations
42 Section 14–5E–06(e) and 14–5E–18.1

1 Annotated Code of Maryland
2 (2009 Replacement Volume and 2011 Supplement)
3 (As enacted by Chapter 588 of the Acts of the General Assembly of 2011)

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

6 **Article – Health Occupations**

7 14–5A–06.

8 (d) (1) From among its members, the Committee shall elect a chair once
9 every 2 years.

10 (2) **THE CHAIR SHALL:**

11 (i) **SERVE IN AN ADVISORY CAPACITY TO THE BOARD AS A**
12 **REPRESENTATIVE OF THE COMMITTEE; AND**

13 (ii) **PRESENT TO THE BOARD THE COMMITTEE’S ANNUAL**
14 **REPORT.**

15 (e) (1) **AN INDIVIDUAL MAY NOT PROVIDE SERVICES TO THE**
16 **COMMITTEE OR THE BOARD FOR REMUNERATION UNLESS 3 YEARS HAVE**
17 **PASSED SINCE THE TERMINATION OF THE INDIVIDUAL’S APPOINTMENT TO THE**
18 **COMMITTEE.**

19 (2) **AN INDIVIDUAL MAY NOT BE APPOINTED TO THE COMMITTEE**
20 **IF THE INDIVIDUAL IS PROVIDING OR HAS PROVIDED SERVICES TO THE BOARD**
21 **FOR REMUNERATION WITHIN THE PRECEDING 3 YEARS.**

22 14–5A–07.

23 (A) In addition to the powers set forth elsewhere in this subtitle, the
24 Committee shall:

25 (1) Develop and recommend to the Board regulations to carry out the
26 provisions of this subtitle;

27 (2) Develop and recommend to the Board a code of ethics for the
28 practice of respiratory care for adoption by the Board;

29 (3) If requested, develop and recommend to the Board standards of
30 care for the practice of respiratory care;

1 (4) Develop and recommend to the Board the requirements for
2 licensure as a respiratory care practitioner;

3 (5) Evaluate the credentials of applicants as necessary and
4 recommend licensure of applicants who fulfill the requirements for a license to
5 practice respiratory care;

6 (6) Develop and recommend to the Board continuing education
7 requirements for license renewal;

8 (7) Provide the Board with recommendations concerning the practice
9 of respiratory care;

10 (8) Develop and recommend to the Board criteria related to the
11 practice of respiratory care in the home setting; [and]

12 (9) Keep a record of its proceedings; AND

13 (10) **SUBMIT AN ANNUAL REPORT TO THE BOARD.**

14 **(B) THE BOARD SHALL:**

15 **(1) CONSIDER ALL RECOMMENDATIONS OF THE COMMITTEE AND**
16 **PROVIDE A WRITTEN EXPLANATION OF THE BOARD'S REASONS FOR REJECTING**
17 **OR MODIFYING THE COMMITTEE'S RECOMMENDATIONS; AND**

18 **(2) PROVIDE TO THE COMMITTEE ONCE A YEAR A REPORT ON**
19 **THE DISCIPLINARY MATTERS INVOLVING LICENSEES.**

20 **14-5A-18.1.**

21 **(A) FOLLOWING THE FILING OF CHARGES OR NOTICE OF INITIAL**
22 **DENIAL OF A LICENSE APPLICATION, THE BOARD SHALL DISCLOSE THE FILING**
23 **TO THE PUBLIC ON THE BOARD'S WEB SITE.**

24 **(B) THE BOARD SHALL CREATE AND MAINTAIN A PUBLIC INDIVIDUAL**
25 **PROFILE ON EACH LICENSEE THAT INCLUDES THE FOLLOWING INFORMATION:**

26 **(1) A SUMMARY OF CHARGES FILED AGAINST THE LICENSEE**
27 **THAT INCLUDES A COPY OF THE CHARGING DOCUMENT UNTIL THE BOARD HAS**
28 **TAKEN ACTION UNDER § 14-5A-17 OF THIS SUBTITLE BASED ON THE CHARGES**
29 **OR HAS RESCINDED THE CHARGES;**

1 **(2) A DESCRIPTION OF ANY DISCIPLINARY ACTION TAKEN BY THE**
2 **BOARD AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR PERIOD**
3 **THAT INCLUDES A COPY OF THE PUBLIC ORDER;**

4 **(3) A DESCRIPTION IN SUMMARY FORM OF ANY FINAL**
5 **DISCIPLINARY ACTION TAKEN BY A LICENSING BOARD IN ANY OTHER STATE OR**
6 **JURISDICTION AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR**
7 **PERIOD;**

8 **(4) A DESCRIPTION OF A CONVICTION OR ENTRY OF A PLEA OF**
9 **GUILTY OR NOLO CONTENDERE BY THE LICENSEE FOR A CRIME INVOLVING**
10 **MORAL TURPITUDE REPORTED TO THE BOARD UNDER § 14-5A-17(C) OF THIS**
11 **SUBTITLE; AND**

12 **(5) THE PUBLIC ADDRESS OF THE LICENSEE.**

13 **(C) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (B) OF THIS**
14 **SECTION, THE BOARD SHALL INCLUDE A STATEMENT ON EACH LICENSEE'S**
15 **PROFILE OF INFORMATION TO BE TAKEN INTO CONSIDERATION BY A CONSUMER**
16 **WHEN VIEWING A LICENSEE'S PROFILE, INCLUDING A DISCLAIMER STATING**
17 **THAT A CHARGING DOCUMENT DOES NOT INDICATE A FINAL FINDING OF GUILT**
18 **BY THE BOARD.**

19 **(D) THE BOARD:**

20 **(1) ON RECEIPT OF A WRITTEN REQUEST FOR A LICENSEE'S**
21 **PROFILE FROM ANY PERSON, SHALL FORWARD A WRITTEN COPY OF THE**
22 **PROFILE TO THE PERSON; AND**

23 **(2) SHALL MAINTAIN A WEB SITE THAT SERVES AS A SINGLE**
24 **POINT OF ENTRY AT WHICH ALL LICENSEE PROFILE INFORMATION IS**
25 **AVAILABLE TO THE PUBLIC ON THE INTERNET.**

26 **(E) THE BOARD SHALL PROVIDE A MECHANISM FOR THE NOTIFICATION**
27 **AND PROMPT CORRECTION OF ANY FACTUAL INACCURACIES IN A LICENSEE'S**
28 **PROFILE.**

29 **(F) THE BOARD SHALL INCLUDE INFORMATION RELATING TO CHARGES**
30 **FILED AGAINST A LICENSEE BY THE BOARD AND A FINAL DISCIPLINARY ACTION**
31 **TAKEN BY THE BOARD AGAINST A LICENSEE IN THE LICENSEE'S PROFILE**
32 **WITHIN 10 DAYS AFTER THE CHARGES ARE FILED OR THE ACTION BECOMES**
33 **FINAL.**

34 14-5A-25.

1 Subject to the evaluation and reestablishment provisions of the Maryland
2 Program Evaluation Act and subject to the termination of this title under § 14-702 of
3 this title, this subtitle and all rules and regulations adopted under this subtitle shall
4 terminate and be of no effect after July 1, [2013] **2023**.

5 14-5B-05.

6 (c) (1) From among its members, the Committee shall elect a chair once
7 every 2 years.

8 (2) **THE CHAIR SHALL:**

9 (i) **SERVE IN AN ADVISORY CAPACITY TO THE BOARD AS A**
10 **REPRESENTATIVE OF THE COMMITTEE; AND**

11 (ii) **PRESENT TO THE BOARD THE COMMITTEE'S ANNUAL**
12 **REPORT.**

13 (f) (1) **AN INDIVIDUAL MAY NOT PROVIDE SERVICES TO THE**
14 **COMMITTEE OR THE BOARD FOR REMUNERATION UNLESS 3 YEARS HAVE**
15 **PASSED SINCE THE TERMINATION OF THE INDIVIDUAL'S APPOINTMENT TO THE**
16 **COMMITTEE.**

17 (2) **AN INDIVIDUAL MAY NOT BE APPOINTED TO THE COMMITTEE**
18 **IF THE INDIVIDUAL IS PROVIDING OR HAS PROVIDED SERVICES TO THE BOARD**
19 **FOR REMUNERATION WITHIN THE PRECEDING 3 YEARS.**

20 14-5B-06.

21 (A) In addition to the powers set forth elsewhere in this subtitle, the
22 Committee shall:

23 (1) Make recommendations to the Board on regulations necessary to
24 carry out the provisions of this subtitle;

25 (2) Make recommendations to the Board on a code of ethics for the
26 practice of radiation therapy, the practice of radiography, the practice of nuclear
27 medicine technology, and the practice of radiology assistance for adoption by the
28 Board;

29 (3) On request, make recommendations to the Board on standards of
30 care for the practice of radiation therapy, the practice of radiography, the practice of
31 nuclear medicine technology, and the practice of radiology assistance;

1 (4) Make recommendations to the Board on the requirements for
2 licensure as a radiation therapist, radiographer, nuclear medicine technologist, or
3 radiologist assistant;

4 (5) On request, review applications for licensure as a radiation
5 therapist, radiographer, nuclear medicine technologist, or radiologist assistant and
6 make recommendations to the Board;

7 (6) Develop and recommend to the Board continuing education
8 requirements for license renewal;

9 (7) Advise the Board on matters related to the practice of radiation
10 therapy, the practice of radiography, the practice of nuclear medicine technology, and
11 the practice of radiology assistance; [and]

12 (8) Keep a record of its proceedings; AND

13 **(9) SUBMIT AN ANNUAL REPORT TO THE BOARD.**

14 **(B) THE BOARD SHALL:**

15 **(1) CONSIDER ALL RECOMMENDATIONS OF THE COMMITTEE AND**
16 **PROVIDE A WRITTEN EXPLANATION OF THE BOARD'S REASONS FOR REJECTING**
17 **OR MODIFYING THE COMMITTEE'S RECOMMENDATIONS; AND**

18 **(2) PROVIDE TO THE COMMITTEE ONCE A YEAR A REPORT ON**
19 **THE DISCIPLINARY MATTERS INVOLVING LICENSEES.**

20 **14-5B-15.1.**

21 **(A) FOLLOWING THE FILING OF CHARGES OR NOTICE OF INITIAL**
22 **DENIAL OF LICENSE APPLICATION, THE BOARD SHALL DISCLOSE THE FILING TO**
23 **THE PUBLIC ON THE BOARD'S WEB SITE.**

24 **(B) THE BOARD SHALL CREATE AND MAINTAIN A PUBLIC INDIVIDUAL**
25 **PROFILE ON EACH LICENSEE THAT INCLUDES THE FOLLOWING INFORMATION:**

26 **(1) A SUMMARY OF CHARGES FILED AGAINST THE LICENSEE**
27 **THAT INCLUDES A COPY OF THE CHARGING DOCUMENT UNTIL THE BOARD HAS**
28 **TAKEN ACTION UNDER § 14-5B-14 OF THIS SUBTITLE BASED ON THE CHARGES**
29 **OR HAS RESCINDED THE CHARGES;**

30 **(2) A DESCRIPTION OF ANY DISCIPLINARY ACTION TAKEN BY THE**
31 **BOARD AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR PERIOD**
32 **THAT INCLUDES A COPY OF THE PUBLIC ORDER;**

1 **(3) A DESCRIPTION IN SUMMARY FORM OF ANY FINAL**
2 **DISCIPLINARY ACTION TAKEN BY A LICENSING BOARD IN ANY OTHER STATE OR**
3 **JURISDICTION AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR**
4 **PERIOD;**

5 **(4) A DESCRIPTION OF A CONVICTION OR ENTRY OF A PLEA OF**
6 **GUILTY OR NOLO CONTENDERE BY THE LICENSEE FOR A CRIME INVOLVING**
7 **MORAL TURPITUDE REPORTED TO THE BOARD UNDER § 14-5B-14(C) OF THIS**
8 **SUBTITLE; AND**

9 **(5) THE PUBLIC ADDRESS OF THE LICENSEE.**

10 **(C) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (B) OF THIS**
11 **SECTION, THE BOARD SHALL INCLUDE A STATEMENT ON EACH LICENSEE'S**
12 **PROFILE OF INFORMATION TO BE TAKEN INTO CONSIDERATION BY A CONSUMER**
13 **WHEN VIEWING A LICENSEE'S PROFILE, INCLUDING A DISCLAIMER STATING**
14 **THAT A CHARGING DOCUMENT DOES NOT INDICATE A FINAL FINDING OF GUILT**
15 **BY THE BOARD.**

16 **(D) THE BOARD:**

17 **(1) ON RECEIPT OF A WRITTEN REQUEST FOR A LICENSEE'S**
18 **PROFILE FROM ANY PERSON, SHALL FORWARD A WRITTEN COPY OF THE**
19 **PROFILE TO THE PERSON; AND**

20 **(2) SHALL MAINTAIN A WEB SITE THAT SERVES AS A SINGLE**
21 **POINT OF ENTRY AT WHICH ALL LICENSEE PROFILE INFORMATION IS**
22 **AVAILABLE TO THE PUBLIC ON THE INTERNET.**

23 **(E) THE BOARD SHALL PROVIDE A MECHANISM FOR THE NOTIFICATION**
24 **AND PROMPT CORRECTION OF ANY FACTUAL INACCURACIES IN A LICENSEE'S**
25 **PROFILE.**

26 **(F) THE BOARD SHALL INCLUDE INFORMATION RELATING TO CHARGES**
27 **FILED AGAINST A LICENSEE BY THE BOARD AND A FINAL DISCIPLINARY ACTION**
28 **TAKEN BY THE BOARD AGAINST A LICENSEE IN THE LICENSEE'S PROFILE**
29 **WITHIN 10 DAYS AFTER THE CHARGES ARE FILED OR THE ACTION BECOMES**
30 **FINAL.**

31 14-5B-21.

32 Subject to the evaluation and reestablishment provisions of the Maryland
33 Program Evaluation Act, and subject to the termination of this title under § 14-702 of

1 this title, this subtitle and all rules and regulations adopted under this subtitle shall
2 terminate and be of no effect after July 1, [2013] **2023**.

3 14-5C-06.

4 **(D) (1) FROM AMONG ITS MEMBERS, THE COMMITTEE SHALL ELECT**
5 **A CHAIR ONCE EVERY 2 YEARS.**

6 **(2) THE CHAIR SHALL:**

7 **(I) SERVE IN AN ADVISORY CAPACITY TO THE BOARD AS A**
8 **REPRESENTATIVE OF THE COMMITTEE; AND**

9 **(II) PRESENT TO THE BOARD THE COMMITTEE'S ANNUAL**
10 **REPORT.**

11 **(E) (1) AN INDIVIDUAL MAY NOT PROVIDE SERVICES TO THE**
12 **COMMITTEE OR THE BOARD FOR REMUNERATION UNLESS 3 YEARS HAVE**
13 **PASSED SINCE THE TERMINATION OF THE INDIVIDUAL'S APPOINTMENT TO THE**
14 **COMMITTEE.**

15 **(2) AN INDIVIDUAL MAY NOT BE APPOINTED TO THE COMMITTEE**
16 **IF THE INDIVIDUAL IS PROVIDING OR HAS PROVIDED SERVICES TO THE BOARD**
17 **FOR REMUNERATION WITHIN THE PRECEDING 3 YEARS.**

18 14-5C-07.

19 **(A)** In addition to the powers set forth elsewhere in this subtitle, the
20 Committee shall:

21 (1) Develop and recommend to the Board regulations to carry out the
22 provisions of this subtitle;

23 (2) Develop and recommend to the Board a code of ethics for the
24 practice of polysomnography for adoption by the Board;

25 (3) Develop and recommend to the Board standards of care for the
26 practice of polysomnography;

27 (4) Develop and recommend to the Board the requirements for
28 licensure as a polysomnographic technologist, including:

29 (i) Criteria for the educational and clinical training of licensed
30 polysomnographic technologists; and

1 (ii) Criteria for a professional competency examination and
2 testing of applicants for a license to practice polysomnography;

3 (5) Develop and recommend to the Board criteria for licensed
4 polysomnographic technologists who are licensed in other states to practice in this
5 State;

6 (6) Evaluate the accreditation status of education programs in
7 polysomnography for approval by the Board;

8 (7) Evaluate the credentials of applicants and recommend licensure of
9 applicants who fulfill the requirements for a license to practice polysomnography;

10 (8) Develop and recommend to the Board continuing education
11 requirements for license renewal;

12 (9) Provide the Board with recommendations concerning the practice
13 of polysomnography;

14 (10) Develop and recommend to the Board criteria for the direction of
15 students in clinical education programs by licensed polysomnographic technologists
16 and licensed physicians;

17 (11) Keep a record of its proceedings; and

18 (12) Submit an annual report to the Board.

19 **(B) THE BOARD SHALL:**

20 **(1) CONSIDER ALL RECOMMENDATIONS OF THE COMMITTEE AND**
21 **PROVIDE A WRITTEN EXPLANATION OF THE BOARD'S REASONS FOR REJECTING**
22 **OR MODIFYING THE COMMITTEE'S RECOMMENDATIONS; AND**

23 **(2) PROVIDE TO THE COMMITTEE ONCE A YEAR A REPORT ON**
24 **THE DISCIPLINARY MATTERS INVOLVING LICENSEES.**

25 **14-5C-18.1.**

26 **(A) FOLLOWING THE FILING OF CHARGES OR NOTICE OF INITIAL**
27 **DENIAL OF LICENSE APPLICATION, THE BOARD SHALL DISCLOSE THE FILING TO**
28 **THE PUBLIC ON THE BOARD'S WEB SITE.**

29 **(B) THE BOARD SHALL CREATE AND MAINTAIN A PUBLIC INDIVIDUAL**
30 **PROFILE ON EACH LICENSEE THAT INCLUDES THE FOLLOWING INFORMATION:**

1 **(1) A SUMMARY OF CHARGES FILED AGAINST THE LICENSEE**
2 **THAT INCLUDES A COPY OF THE CHARGING DOCUMENT UNTIL THE BOARD HAS**
3 **TAKEN ACTION UNDER § 14-5C-17 OF THIS SUBTITLE BASED ON THE CHARGES**
4 **OR HAS RESCINDED THE CHARGES;**

5 **(2) A DESCRIPTION OF ANY DISCIPLINARY ACTION TAKEN BY THE**
6 **BOARD AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR PERIOD**
7 **THAT INCLUDES A COPY OF THE PUBLIC ORDER;**

8 **(3) A DESCRIPTION IN SUMMARY FORM OF ANY FINAL**
9 **DISCIPLINARY ACTION TAKEN BY A LICENSING BOARD IN ANY OTHER STATE OR**
10 **JURISDICTION AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR**
11 **PERIOD;**

12 **(4) A DESCRIPTION OF A CONVICTION OR ENTRY OF A PLEA OF**
13 **GUILTY OR NOLO CONTENDERE BY THE LICENSEE FOR A CRIME INVOLVING**
14 **MORAL TURPITUDE REPORTED TO THE BOARD UNDER § 14-5C-17(C) OF THIS**
15 **SUBTITLE; AND**

16 **(5) THE PUBLIC ADDRESS OF THE LICENSEE.**

17 **(C) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (B) OF THIS**
18 **SECTION, THE BOARD SHALL INCLUDE A STATEMENT ON EACH LICENSEE'S**
19 **PROFILE OF INFORMATION TO BE TAKEN INTO CONSIDERATION BY A CONSUMER**
20 **WHEN VIEWING A LICENSEE'S PROFILE, INCLUDING A DISCLAIMER STATING**
21 **THAT A CHARGING DOCUMENT DOES NOT INDICATE A FINAL FINDING OF GUILT**
22 **BY THE BOARD.**

23 **(D) THE BOARD:**

24 **(1) ON RECEIPT OF A WRITTEN REQUEST FOR A LICENSEE'S**
25 **PROFILE FROM ANY PERSON, SHALL FORWARD A WRITTEN COPY OF THE**
26 **PROFILE TO THE PERSON; AND**

27 **(2) SHALL MAINTAIN A WEB SITE THAT SERVES AS A SINGLE**
28 **POINT OF ENTRY AT WHICH ALL LICENSEE PROFILE INFORMATION IS**
29 **AVAILABLE TO THE PUBLIC ON THE INTERNET.**

30 **(E) THE BOARD SHALL PROVIDE A MECHANISM FOR THE NOTIFICATION**
31 **AND PROMPT CORRECTION OF ANY FACTUAL INACCURACIES IN A LICENSEE'S**
32 **PROFILE.**

33 **(F) THE BOARD SHALL INCLUDE INFORMATION RELATING TO CHARGES**
34 **FILED AGAINST A LICENSEE BY THE BOARD AND A FINAL DISCIPLINARY ACTION**

1 **TAKEN BY THE BOARD AGAINST A LICENSEE IN THE LICENSEE'S PROFILE**
2 **WITHIN 10 DAYS AFTER THE CHARGES ARE FILED OR THE ACTION BECOMES**
3 **FINAL.**

4 14-5C-25.

5 Subject to the evaluation and reestablishment provisions of the Maryland
6 Program Evaluation Act and subject to the termination of this title under § 14-702 of
7 this title, this subtitle and all regulations adopted under this subtitle shall terminate
8 and be of no effect after July 1, [2013] **2023.**

9 14-5D-05.

10 (e) (1) From among its members, the Committee shall elect a chair every
11 2 years.

12 (2) **THE CHAIR SHALL:**

13 (i) **SERVE IN AN ADVISORY CAPACITY TO THE BOARD AS A**
14 **REPRESENTATIVE OF THE COMMITTEE; AND**

15 (ii) **PRESENT TO THE BOARD THE COMMITTEE'S ANNUAL**
16 **REPORT.**

17 (f) (1) **AN INDIVIDUAL MAY NOT PROVIDE SERVICES TO THE**
18 **COMMITTEE OR THE BOARD FOR REMUNERATION UNLESS 3 YEARS HAVE**
19 **PASSED SINCE THE TERMINATION OF THE INDIVIDUAL'S APPOINTMENT TO THE**
20 **COMMITTEE.**

21 (2) **AN INDIVIDUAL MAY NOT BE APPOINTED TO THE COMMITTEE**
22 **IF THE INDIVIDUAL IS PROVIDING OR HAS PROVIDED SERVICES TO THE BOARD**
23 **FOR REMUNERATION WITHIN THE PRECEDING 3 YEARS.**

24 14-5D-06.

25 (A) In addition to the powers set forth elsewhere in this subtitle, the
26 Committee shall:

27 (1) Develop and recommend to the Board regulations to carry out this
28 subtitle;

29 (2) Develop and recommend to the Board continuing education
30 requirements for license renewal;

1 (3) Provide the Board with recommendations concerning the practice
2 of athletic training;

3 (4) Develop and recommend to the Board an evaluation and treatment
4 protocol for use by an athletic trainer and the physician with whom the athletic
5 trainer practices;

6 (5) Provide advice and recommendations to the Board on individual
7 evaluation and treatment protocols when requested; [and]

8 (6) Keep a record of its proceedings; AND

9 (7) SUBMIT AN ANNUAL REPORT TO THE BOARD.

10 **(B) THE BOARD SHALL:**

11 **(1) CONSIDER ALL RECOMMENDATIONS OF THE COMMITTEE AND**
12 **PROVIDE A WRITTEN EXPLANATION OF THE BOARD'S REASONS FOR REJECTING**
13 **OR MODIFYING THE COMMITTEE'S RECOMMENDATIONS; AND**

14 **(2) PROVIDE TO THE COMMITTEE ONCE A YEAR A REPORT ON**
15 **THE DISCIPLINARY MATTERS INVOLVING LICENSEES.**

16 **14-5D-16.1.**

17 **(A) FOLLOWING THE FILING OF CHARGES OR NOTICE OF INITIAL**
18 **DENIAL OF LICENSE APPLICATION, THE BOARD SHALL DISCLOSE THE FILING TO**
19 **THE PUBLIC ON THE BOARD'S WEB SITE.**

20 **(B) THE BOARD SHALL CREATE AND MAINTAIN A PUBLIC INDIVIDUAL**
21 **PROFILE ON EACH LICENSEE THAT INCLUDES THE FOLLOWING INFORMATION:**

22 **(1) A SUMMARY OF CHARGES FILED AGAINST THE LICENSEE**
23 **THAT INCLUDES A COPY OF THE CHARGING DOCUMENT UNTIL THE BOARD HAS**
24 **TAKEN ACTION UNDER § 14-5D-14 OF THIS SUBTITLE BASED ON THE CHARGES**
25 **OR HAS RESCINDED THE CHARGES;**

26 **(2) A DESCRIPTION OF ANY DISCIPLINARY ACTION TAKEN BY THE**
27 **BOARD AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR PERIOD**
28 **THAT INCLUDES A COPY OF THE PUBLIC ORDER;**

29 **(3) A DESCRIPTION IN SUMMARY FORM OF ANY FINAL**
30 **DISCIPLINARY ACTION TAKEN BY A LICENSING BOARD IN ANY OTHER STATE OR**
31 **JURISDICTION AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR**
32 **PERIOD;**

1 **(4) A DESCRIPTION OF A CONVICTION OR ENTRY OF A PLEA OF**
2 **GUILTY OR NOLO CONTENDERE BY THE LICENSEE FOR A CRIME INVOLVING**
3 **MORAL TURPITUDE REPORTED TO THE BOARD UNDER § 14-5D-14(B) OF THIS**
4 **SUBTITLE; AND**

5 **(5) THE PUBLIC ADDRESS OF THE LICENSEE.**

6 **(C) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (B) OF THIS**
7 **SECTION, THE BOARD SHALL INCLUDE A STATEMENT ON EACH LICENSEE'S**
8 **PROFILE OF INFORMATION TO BE TAKEN INTO CONSIDERATION BY A CONSUMER**
9 **WHEN VIEWING A LICENSEE'S PROFILE, INCLUDING A DISCLAIMER STATING**
10 **THAT A CHARGING DOCUMENT DOES NOT INDICATE A FINAL FINDING OF GUILT**
11 **BY THE BOARD.**

12 **(D) THE BOARD:**

13 **(1) ON RECEIPT OF A WRITTEN REQUEST FOR A LICENSEE'S**
14 **PROFILE FROM ANY PERSON, SHALL FORWARD A WRITTEN COPY OF THE**
15 **PROFILE TO THE PERSON; AND**

16 **(2) SHALL MAINTAIN A WEB SITE THAT SERVES AS A SINGLE**
17 **POINT OF ENTRY AT WHICH ALL LICENSEE PROFILE INFORMATION IS**
18 **AVAILABLE TO THE PUBLIC ON THE INTERNET.**

19 **(E) THE BOARD SHALL PROVIDE A MECHANISM FOR THE NOTIFICATION**
20 **AND PROMPT CORRECTION OF ANY FACTUAL INACCURACIES IN A LICENSEE'S**
21 **PROFILE.**

22 **(F) THE BOARD SHALL INCLUDE INFORMATION RELATING TO CHARGES**
23 **FILED AGAINST A LICENSEE BY THE BOARD AND A FINAL DISCIPLINARY ACTION**
24 **TAKEN BY THE BOARD AGAINST A LICENSEE IN THE LICENSEE'S PROFILE**
25 **WITHIN 10 DAYS AFTER THE CHARGES ARE FILED OR THE ACTION BECOMES**
26 **FINAL.**

27 14-5D-20.

28 Subject to the evaluation and reestablishment provisions of the Maryland
29 Program Evaluation Act and subject to the termination of this title under § 14-702 of
30 this title, this subtitle and all rules and regulations adopted under this subtitle shall
31 terminate and be of no effect after July 1, [2013] 2023.

32 15-202.

33 (e) The chairperson shall [serve]:

1 **(1) SERVE** in an advisory capacity to the Board as a representative of
2 the Committee; **AND**

3 **(2) PRESENT TO THE BOARD THE COMMITTEE'S ANNUAL**
4 **REPORT.**

5 **(F) (1) AN INDIVIDUAL MAY NOT PROVIDE SERVICES TO THE**
6 **COMMITTEE OR THE BOARD FOR REMUNERATION UNLESS 3 YEARS HAVE**
7 **PASSED SINCE THE TERMINATION OF THE INDIVIDUAL'S APPOINTMENT TO THE**
8 **COMMITTEE.**

9 **(2) AN INDIVIDUAL MAY NOT BE APPOINTED TO THE COMMITTEE**
10 **IF THE INDIVIDUAL IS PROVIDING OR HAS PROVIDED SERVICES TO THE BOARD**
11 **FOR REMUNERATION WITHIN THE PRECEDING 3 YEARS.**

12 15–205.

13 (a) In addition to the powers set forth elsewhere in this title, the Committee,
14 on its initiative or on the Board's request, may:

15 (1) Recommend to the Board regulations for carrying out the
16 provisions of this title;

17 (2) Recommend to the Board approval, modification, or disapproval of
18 an application for licensure or a delegation agreement;

19 (3) Report to the Board any conduct of a supervising physician or a
20 physician assistant that may be cause for disciplinary action under this title or under
21 § 14–404 of this article; and

22 (4) Report to the Board any alleged unauthorized practice of a
23 physician assistant.

24 **(B) THE COMMITTEE SHALL SUBMIT AN ANNUAL REPORT TO THE**
25 **BOARD.**

26 **[(b)] (C) (1)** In addition to the duties set forth elsewhere in this title, the
27 Board shall adopt regulations to carry out the provisions of this title.

28 (2) The Board shall:

29 (i) Consider all recommendations of the Committee; **[and]**

30 (ii) Provide a written explanation of the Board's reasons for
31 rejecting or modifying the Committee's recommendations; **AND**

1 **(III) PROVIDE TO THE COMMITTEE ONCE A YEAR A REPORT**
2 **ON THE DISCIPLINARY MATTERS INVOLVING LICENSEES.**

3 (3) The Board may:

4 (i) Investigate any alleged unauthorized practice of a physician
5 assistant;

6 (ii) Investigate any conduct that may be cause for disciplinary
7 action under this title; and

8 (iii) On receipt of a written and signed complaint, including a
9 referral from the Commissioner of Labor and Industry, conduct an unannounced
10 inspection of the office of a physician assistant, other than an office of a physician
11 assistant in a hospital, related institution, freestanding medical facility, or
12 freestanding birthing center, to determine compliance at that office with the Centers
13 for Disease Control and Prevention's guidelines on universal precautions.

14 (4) If the entry is necessary to carry out a duty under this subtitle,
15 including an investigation or determination of compliance as provided under
16 paragraph (3) of this subsection and an audit to determine compliance with the
17 Board's requirements with respect to physician assistant practice, the Executive
18 Director of the Board or other duly authorized agent or investigator may enter at any
19 reasonable hour a place of business of a licensed physician or a licensed physician
20 assistant or public premises.

21 (5) (i) A person may not deny or interfere with an entry under this
22 subsection.

23 (ii) A person who violates any provision of this subsection is
24 guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$100.

25 15-310.

26 [(e) The Board shall assess each applicant for a license or the renewal of a
27 license to practice as a physician assistant, a fee set by the Board sufficient to fund the
28 activities of the Board's rehabilitation program under § 14-401(g) of this article in
29 conducting a physician assistant rehabilitation program.]

30 **15-316.1.**

31 **(A) FOLLOWING THE FILING OF CHARGES OR NOTICE OF INITIAL**
32 **DENIAL OF LICENSE APPLICATION, THE BOARD SHALL DISCLOSE THE FILING TO**
33 **THE PUBLIC ON THE BOARD'S WEB SITE.**

1 **(B) THE BOARD SHALL CREATE AND MAINTAIN A PUBLIC INDIVIDUAL**
2 **PROFILE ON EACH LICENSEE THAT INCLUDES THE FOLLOWING INFORMATION:**

3 **(1) A SUMMARY OF CHARGES FILED AGAINST THE LICENSEE**
4 **THAT INCLUDES A COPY OF THE CHARGING DOCUMENT UNTIL THE BOARD HAS**
5 **TAKEN ACTION UNDER § 15-314 OF THIS SUBTITLE BASED ON THE CHARGES OR**
6 **HAS RESCINDED THE CHARGES;**

7 **(2) A DESCRIPTION OF ANY DISCIPLINARY ACTION TAKEN BY THE**
8 **BOARD AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR PERIOD**
9 **THAT INCLUDES A COPY OF THE PUBLIC ORDER;**

10 **(3) A DESCRIPTION IN SUMMARY FORM OF ANY FINAL**
11 **DISCIPLINARY ACTION TAKEN BY A LICENSING BOARD IN ANY OTHER STATE OR**
12 **JURISDICTION AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR**
13 **PERIOD;**

14 **(4) A DESCRIPTION OF A CONVICTION OR ENTRY OF A PLEA OF**
15 **GUILTY OR NOLO CONTENDERE BY THE LICENSEE FOR A CRIME INVOLVING**
16 **MORAL TURPITUDE REPORTED TO THE BOARD UNDER § 15-314(B) OF THIS**
17 **SUBTITLE; AND**

18 **(5) THE PUBLIC ADDRESS OF THE LICENSEE.**

19 **(C) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (B) OF THIS**
20 **SECTION, THE BOARD SHALL INCLUDE A STATEMENT ON EACH LICENSEE'S**
21 **PROFILE OF INFORMATION TO BE TAKEN INTO CONSIDERATION BY A CONSUMER**
22 **WHEN VIEWING A LICENSEE'S PROFILE, INCLUDING A DISCLAIMER STATING**
23 **THAT A CHARGING DOCUMENT DOES NOT INDICATE A FINAL FINDING OF GUILT**
24 **BY THE BOARD.**

25 **(D) THE BOARD:**

26 **(1) ON RECEIPT OF A WRITTEN REQUEST FOR A LICENSEE'S**
27 **PROFILE FROM ANY PERSON, SHALL FORWARD A WRITTEN COPY OF THE**
28 **PROFILE TO THE PERSON; AND**

29 **(2) SHALL MAINTAIN A WEB SITE THAT SERVES AS A SINGLE**
30 **POINT OF ENTRY AT WHICH ALL LICENSEE PROFILE INFORMATION IS**
31 **AVAILABLE TO THE PUBLIC ON THE INTERNET.**

32 **(E) THE BOARD SHALL PROVIDE A MECHANISM FOR THE NOTIFICATION**
33 **AND PROMPT CORRECTION OF ANY FACTUAL INACCURACIES IN A LICENSEE'S**
34 **PROFILE.**

1 **(F) THE BOARD SHALL INCLUDE INFORMATION RELATING TO CHARGES**
2 **FILED AGAINST A LICENSEE BY THE BOARD AND A FINAL DISCIPLINARY ACTION**
3 **TAKEN BY THE BOARD AGAINST A LICENSEE IN THE LICENSEE'S PROFILE**
4 **WITHIN 10 DAYS AFTER THE CHARGES ARE FILED OR THE ACTION BECOMES**
5 **FINAL.**

6 15-502.

7 Subject to the evaluation and reestablishment provisions of the Maryland
8 Program Evaluation Act, this title and all regulations adopted under this title shall
9 terminate and be of no effect after July 1, [2013] **2023**.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
11 read as follows:

12 **Article – Health Occupations**

13 14-5E-06.

14 (d) **(1)** From among its members, the Committee shall elect a chair every
15 2 years.

16 **(2) THE CHAIR SHALL:**

17 **(i) SERVE IN AN ADVISORY CAPACITY TO THE BOARD AS A**
18 **REPRESENTATIVE OF THE COMMITTEE; AND**

19 **(ii) PRESENT TO THE BOARD THE COMMITTEE'S ANNUAL**
20 **REPORT.**

21 **(E) (1) AN INDIVIDUAL MAY NOT PROVIDE SERVICES TO THE**
22 **COMMITTEE OR THE BOARD FOR REMUNERATION UNLESS 3 YEARS HAVE**
23 **PASSED SINCE THE TERMINATION OF THE INDIVIDUAL'S APPOINTMENT TO THE**
24 **COMMITTEE.**

25 **(2) AN INDIVIDUAL MAY NOT BE APPOINTED TO THE COMMITTEE**
26 **IF THE INDIVIDUAL IS PROVIDING OR HAS PROVIDED SERVICES TO THE BOARD**
27 **FOR REMUNERATION WITHIN THE PRECEDING 3 YEARS.**

28 14-5E-07.

29 **(A)** In addition to the powers set forth elsewhere in this subtitle, the
30 Committee shall:

- 1 (1) Develop and recommend to the Board:
- 2 (i) Regulations to carry out the provisions of this subtitle;
- 3 (ii) A code of ethics for the practice of perfusion for adoption by
- 4 the Board;
- 5 (iii) Recommendations concerning the practice of perfusion,
- 6 including standards of care for the practice of perfusion; and
- 7 (iv) Continuing education requirements for license renewal;
- 8 [and]
- 9 (2) Keep a record of its proceedings; AND
- 10 (3) **SUBMIT AN ANNUAL REPORT TO THE BOARD.**

11 **(B) THE BOARD SHALL:**

- 12 (1) **CONSIDER ALL RECOMMENDATIONS OF THE COMMITTEE AND**
- 13 **PROVIDE A WRITTEN EXPLANATION OF THE BOARD’S REASONS FOR REJECTING**
- 14 **OR MODIFYING THE COMMITTEE’S RECOMMENDATIONS; AND**
- 15 (2) **PROVIDE TO THE COMMITTEE ONCE A YEAR A REPORT ON**
- 16 **THE DISCIPLINARY MATTERS INVOLVING LICENSEES.**

17 **14-5E-18.1.**

- 18 (A) **FOLLOWING THE FILING OF CHARGES OR NOTICE OF INITIAL**
- 19 **DENIAL OF LICENSE APPLICATION, THE BOARD SHALL DISCLOSE THE FILING TO**
- 20 **THE PUBLIC ON THE BOARD’S WEB SITE.**

- 21 (B) **THE BOARD SHALL CREATE AND MAINTAIN A PUBLIC INDIVIDUAL**
- 22 **PROFILE ON EACH LICENSEE THAT INCLUDES THE FOLLOWING INFORMATION:**

- 23 (1) **A SUMMARY OF CHARGES FILED AGAINST THE LICENSEE**
- 24 **THAT INCLUDES A COPY OF THE CHARGING DOCUMENT UNTIL THE BOARD HAS**
- 25 **TAKEN ACTION UNDER § 14-5E-16 OF THIS SUBTITLE BASED ON THE CHARGES**
- 26 **OR HAS RESCINDED THE CHARGES.**

- 27 (2) **A DESCRIPTION OF ANY DISCIPLINARY ACTION TAKEN BY THE**
- 28 **BOARD AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR PERIOD**
- 29 **THAT INCLUDES A COPY OF THE PUBLIC ORDER;**

1 **(3) A DESCRIPTION IN SUMMARY FORM OF ANY FINAL**
2 **DISCIPLINARY ACTION TAKEN BY A LICENSING BOARD IN ANY OTHER STATE OR**
3 **JURISDICTION AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR**
4 **PERIOD;**

5 **(4) A DESCRIPTION OF A CONVICTION OR ENTRY OF A PLEA OF**
6 **GUILTY OR NOLO CONTENDERE BY THE LICENSEE FOR A CRIME INVOLVING**
7 **MORAL TURPITUDE REPORTED TO THE BOARD UNDER § 14-5E-16(C) OF THIS**
8 **SUBTITLE; AND**

9 **(5) THE PUBLIC ADDRESS OF THE LICENSEE.**

10 **(C) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (B) OF THIS**
11 **SECTION, THE BOARD SHALL INCLUDE A STATEMENT ON EACH LICENSEE'S**
12 **PROFILE OF INFORMATION TO BE TAKEN INTO CONSIDERATION BY A CONSUMER**
13 **WHEN VIEWING A LICENSEE'S PROFILE, INCLUDING A DISCLAIMER STATING**
14 **THAT A CHARGING DOCUMENT DOES NOT INDICATE A FINAL FINDING OF GUILT**
15 **BY THE BOARD.**

16 **(D) THE BOARD:**

17 **(1) ON RECEIPT OF A WRITTEN REQUEST FOR A LICENSEE'S**
18 **PROFILE FROM ANY PERSON, SHALL FORWARD A WRITTEN COPY OF THE**
19 **PROFILE TO THE PERSON; AND**

20 **(2) SHALL MAINTAIN A WEB SITE THAT SERVES AS A SINGLE**
21 **POINT OF ENTRY WHERE ALL LICENSEE PROFILE INFORMATION IS AVAILABLE**
22 **TO THE PUBLIC ON THE INTERNET.**

23 **(E) THE BOARD SHALL PROVIDE A MECHANISM FOR THE NOTIFICATION**
24 **AND PROMPT CORRECTION OF ANY FACTUAL INACCURACIES IN A LICENSEE'S**
25 **PROFILE.**

26 **(F) THE BOARD SHALL INCLUDE INFORMATION RELATING TO CHARGES**
27 **FILED AGAINST A LICENSEE BY THE BOARD AND A FINAL DISCIPLINARY ACTION**
28 **TAKEN BY THE BOARD AGAINST A LICENSEE IN THE LICENSEE'S PROFILE**
29 **WITHIN 10 DAYS AFTER THE CHARGES ARE FILED OR THE ACTION BECOMES**
30 **FINAL.**

31 14-5E-25.

32 Subject to the evaluation and reestablishment provisions of the Maryland
33 Program Evaluation Act and subject to the termination of this title under § 14-702 of

1 this title, this subtitle and all regulations adopted under this subtitle shall terminate
2 and be of no effect after July 1, [2022] **2023**.

3 SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December
4 31, 2012, the State Board of Physicians shall develop and implement a plan to improve
5 the recruitment of allied health advisory committee members.

6 SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December
7 31, 2012, the State Board of Physicians, in consultation with the Physician Assistant
8 Advisory Committee and physician assistants and supervising physicians from a
9 variety of practice settings, shall adopt regulations for determining:

10 (1) what constitutes an advanced duty; and

11 (2) how many successful procedures a physician assistant must
12 perform to be deemed able to safely perform a medical act.

13 SECTION 5. AND BE IT FURTHER ENACTED, That the State Board of
14 Physicians shall issue a license to an individual under § 14-5B-10 of the Health
15 Occupations Article if the individual:

16 (1) was enrolled in an unaccredited radiation therapy, radiography, or
17 nuclear medicine technology program on October 1, 2010, and graduates by June 30,
18 2014; and

19 (2) meets all other requirements for licensure.

20 SECTION 6. AND BE IT FURTHER ENACTED, That, on or before June 1,
21 2013, the State Board of Physicians shall submit a report to the Department of
22 Legislative Services. The report shall address the status of the implementation of the
23 recommendations made by the Department of Legislative Services in the November
24 2011 publication "Sunset Review: Evaluation of the State Board of Physicians and the
25 Related Allied Health Advisory Committees". The report shall include:

26 (1) recommendations for measures to increase the involvement of
27 allied health advisory committees in complaint resolution and licensee discipline,
28 including the feasibility and efficacy of:

29 (i) allied health advisory committees handling all allied health
30 complaint resolution functions currently handled by the Board; or

31 (ii) having allied health committee members perform certain
32 complaint resolution functions, including whether allied health committee members
33 should serve on any panel established by the Board to review disciplinary cases
34 involving allied health licensees;

1 (2) with respect to the allied health advisory committees, measures
2 the Board is taking to:

3 (i) fill vacancies;

4 (ii) solicit, identify, and appoint new members before a
5 member's term expires;

6 (iii) promptly reappoint members eligible and nominated to
7 serve for an additional term; and

8 (iv) ensure that committee chairs are elected in a timely manner
9 and preside over committee meetings;

10 (3) whether members of the Board should sit on allied health advisory
11 committees;

12 (4) whether the number of licensees should be considered when
13 determining the size of an allied health advisory committee; and

14 (5) whether the size and composition of the allied health advisory
15 committees should be altered through statutory amendment to effectively carry out
16 the committees' oversight functions, including whether the membership of allied
17 health advisory committees should be reduced after the initial regulations governing
18 the allied health professions have been adopted by the Board.

19 SECTION 7. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
20 take effect October 1, 2012, the effective date of Chapter 588 of the Acts of the General
21 Assembly of 2011. If the effective date of Chapter 588 is amended, Section 2 of this Act
22 shall take effect on the taking effect of Chapter 588.

23 SECTION 8. AND BE IT FURTHER ENACTED, That, except as provided in
24 Section 7 of this Act, this Act shall take effect June 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.