

MARYLAND BOARD OF PHYSICIANS

2020 LEGISLATIVE SUMMARY

During the 2020 Maryland General Assembly session, state legislators considered more than 2,700 bills and resolutions. The Board reviewed and prioritized bills each week, focusing on bills that impacted the Board's mission, operations, or licensees. Below is a snapshot of passed bills that have the most impact. For the status of all legislation, visit the Maryland General Assembly Website.

BOARD AND BUDGET MATTERS

HB 560 (Chapter 612) and SB 395 (Chapter 613): "State Board of Physicians and Allied Health Advisory Committees – Sunset Extension and Program Evaluation," effective May 8, 2020. This legislation extends the termination date of the Board and its allied health committees to July 1, 2030, and it includes numerous statutory revisions related to the Department of Legislative Services' recommendations in its 2019 sunset evaluation of the Board.

SB 192 (Chapter 538): "Budget Reconciliation and Financing Act of 2020," effective June 1, 2020. The Budget Reconciliation and Financing Act (BRFA) generally increases revenues, provides mandated relief, contains costs, swaps funds, and reduces future year general fund expenditures, in addition to a variety of other administrative actions. Specifically related to the Board, the BRFA:

- Eliminates a provision that transferred \$199,517 from the Board's Fund in the Maryland Department of Health (MDH) to the Office of the Secretary in MDH to repay general funds expended by MDH for the Maryland Loan Assistance Repayment Program (LARP) for physicians and physician assistants;
- Authorizes the transfer of \$400,000 from the Board's Fund to the general fund for LARP for Fiscal 2021 only;
- Requires the transfer of \$900,000 from the Board's Fund to the General Fund for Fiscal 2021; and
- Requires the Board, in Fiscal 2021 only, to set licensing fees at a level at least equal to the level in effect on March 1, 2020.

HB 998 (Chapter 402) and SB 501 (Chapter 403): "Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants – Administration and Funding," effective July 1, 2020. This legislation transfers program oversight to MDH and addresses the Board's funding requirements for this program during upcoming fiscal years.

SB 83 (Chapter 518): "State Government – Delivery of Notices and Communications by Electronic Means – Authorized," effective October 1, 2020. This bill authorizes a unit of state government to deliver a notice or communication by electronic means if the unit obtains the individual's consent to deliver by electronic means instead of by first-class mail.

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2020 LEGISLATIVE SUMMARY (CONTINUED)

PRACTITIONER MATTERS

HB 259 (Chapter 139) and SB 103 (Chapter 140): “Health Occupations – Diagnostic Evaluation and Treatment of Patients – Disciplinary Actions,” effective July 1, 2020. This legislation prohibits a board or disciplinary panel from taking certain disciplinary action against a licensee solely on the basis of a licensee using an evaluation or treatment that is integrative, complementary, alternative, or non-conventional, including the treatment of Lyme Disease or tick-borne illness.

HB 378 (Chapter 187) and SB 304 (Chapter 188): “Natalie M. LaPrade Medical Cannabis Commission – Certifying Providers,” effective October 1, 2020. This legislation alters the definition of “certifying provider” to include physician assistants (PAs) under certain circumstances.

SB 726 (Chapter 578): “Education – School Physical Examinations – Physician Assistant,” effective July 1, 2020. This bill adds PAs to the types of health care practitioners permitted to complete a physical examination of a student entering the Maryland Public School System.

SB 732 (Chapter 579): “Health Occupations – Athletic Training – Revisions,” effective October 1, 2020. This bill alters the definition of “practice athletic training,” defines “athletic individual,” repeals the definition of (practice) “setting,” and includes other changes affecting the practice of athletic trainers in Maryland.

STATE OF EMERGENCY / TELEHEALTH

SB 1080 (Chapter 13) and HB 1663 (Chapter 14): “State Government – State of Emergency and Catastrophic Health Emergency – Authority of Governor and Unemployment Insurance Benefits,” effective March 19, 2020. This legislation authorizes the Governor to take certain actions as a result of the issuance of the emergency proclamation on March 5, 2020.

HB 448 (Chapter 15) and SB 402 (Chapter 16): “Health Care Practitioners – Telehealth and Shortage,” effective April 3, 2020. This legislation authorizes all licensees under the Health Occupations Article to use telehealth (synchronous and asynchronous) to establish a patient relationship.

PRESCRIBING / DISPENSING

SB 166 (Chapter 229): “Drugs and Devices – Electronic Prescriptions – Controlled Dangerous Substances,” effective January 1, 2022. This bill authorizes certain CDS prescriptions to be issued on an electronic prescription under specified circumstances.

HB 663 (Chapter 290): “Prescription Drug Monitoring Program – Out-of-State Pharmacists and Discipline for Noncompliance,” effective October 1, 2020. This bill adds a new disciplinary ground to Health Occupations Article, §14-404(a) and §15-314(a) for failure to comply with PDMP requirements.