

MEDCHI, THE MARYLAND STATE MEDICAL SOCIETY
HOUSE OF DELEGATES

Resolution 37-18

INTRODUCED BY: MedChi's Board of Physicians Task Force

SUBJECT: Adverse Actions by Institutions and Insurance Carriers

1 Whereas, the Maryland Board of Physicians investigates complaints concerning Maryland physicians
2 submitted by the public; and

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4 Whereas, once a complaint is received, the Maryland Board of Physicians staff conducts a preliminary
5 investigation of the complaint, which includes sending a copy of the complaint to the respondent with a request
6 for a response; and

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8 Whereas, the results of the preliminary investigation are then presented to the disciplinary panel, which may
9 decide to close the case with no action, close the case with an advisory letter (informal, nonpublic action), or
10 instruct board staff to conduct a full investigation; and

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12 Whereas, during the full investigation, the disciplinary panel may also refer the case for peer review (through
13 its contracted peer review entity) to solicit additional expertise; cases involving standard of care require two
14 peer reviews; and

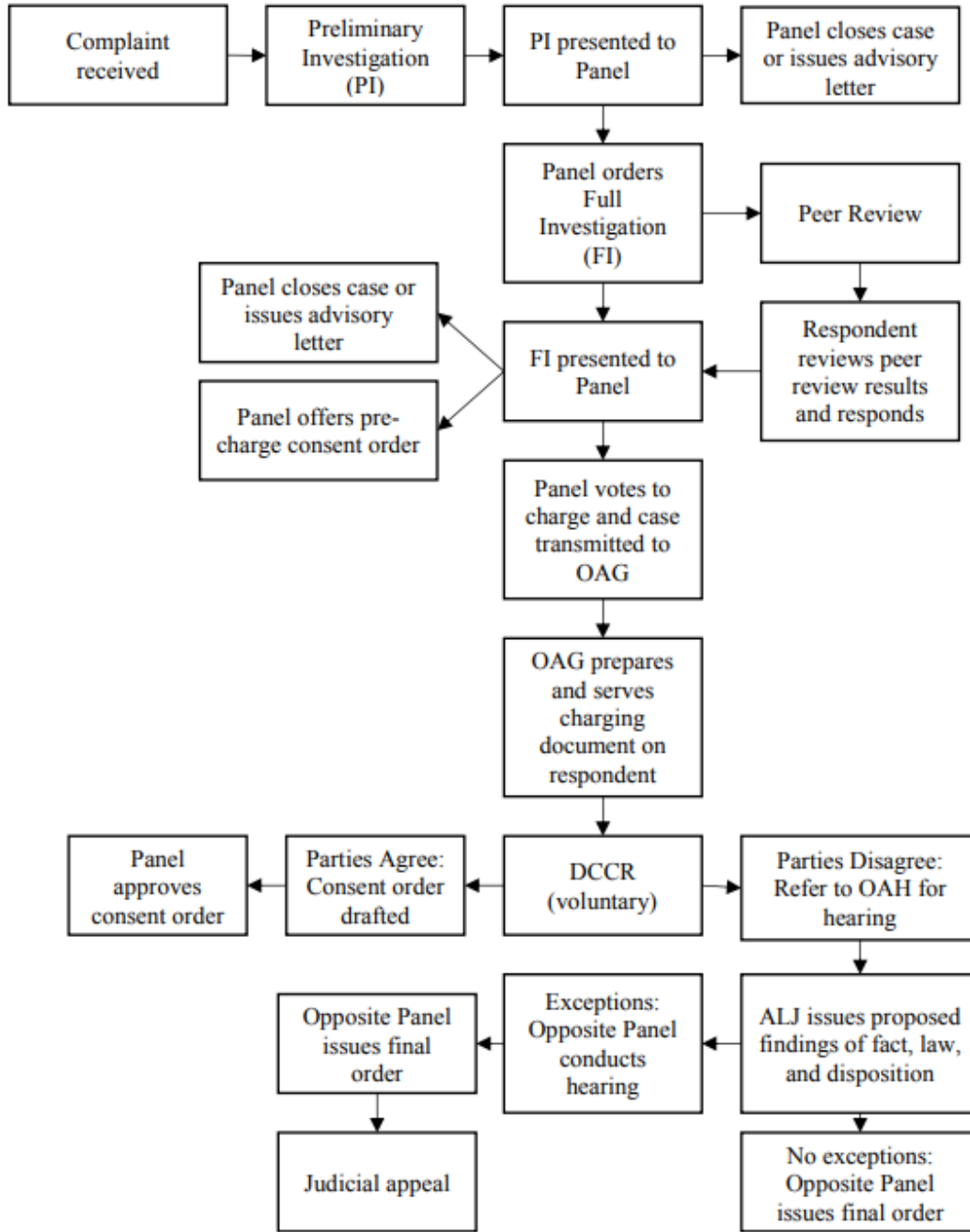
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16 Whereas, the disciplinary panel of the Maryland Board of Physicians, on the affirmative vote of a majority of
17 the quorum of the panel, may reprimand any licensed physician, place any licensed physician on probation, or
18 suspend or revoke a license if a licensed physician violates any 1 of 43 statutory disciplinary grounds,
19 including failure to meet appropriate standards as determined by appropriate peer review for the delivery of
20 quality medical and surgical care performed in an outpatient surgical facility, office, hospital, or any other
21 location in this State¹; and therefore be it

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23 Resolved, that MedChi support legislation that states a hospital or related institution may not take adverse
24 action against a physician based solely on the fact that the physician was placed on probation for a violation of
25 a ground for discipline under §14-404(A) of the Health Occupations Article, if the probation has ended; and be
26 it further

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28 Resolved, that MedChi support legislation that states a carrier may not take any adverse action, including
29 denying an application for participation or terminating participation in a provider panel, against a provider
30 based solely on the fact that the provider was placed on probation under §14-404 of the Health Occupations
31 Article, if the probation has ended; and be it further

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33 Resolved, that MedChi support legislation that states an insurer may not deny liability insurance coverage to a
34 physician based solely on the fact that the physician was placed on probation, if the probation has ended.
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Exhibit 1
State Board of Physicians – Complaint Investigation Process



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