

MedChi

The Maryland State Medical Society

1211 Cathedral Street
Baltimore, MD 21201-5516
410.539.0872
Fax: 410.547.0915

1.800.492.1056

www.medchi.org

TO: The Honorable Joan Carter Conway, Chair
Members, Senate Education, Health and Environmental Affairs Committee

FROM: J. Steven Wise
Joseph A. Schwartz, III
Pamela Metz Kasemeyer
Danna L. Kauffman

DATE: March 5, 2015

RE: **SUPPORT WITH AMENDMENT** – Senate Bill 449 – *State Board of Physicians - Physicians, Physicians Assistant, and Allied Health Practitioners – Licensure Requirements*

The Maryland State Medical Society (MedChi), which represents more than 8,000 Maryland physicians and their patients, supports Senate Bill 449, with amendment.

Senate Bill 449 requires the Board of Physicians to conduct a criminal history records check on all applicants for physician licensure, as well as allied health professionals.

MedChi has supported this effort in the past, although it has raised concern with the frequency of repeating the background checks. That concern appears to have been addressed in Senate Bill 449, which sets forth on page 6 at lines 9-13, what is referred to as the “wrap back” provision of the law. This provision requires the Central Repository to report any new information to the Board and the individual licensee. In this way, new criminal information that might affect the physician’s qualifications for licensure is made known to the physician and to the Board, without requiring the physician to repeat the background check on any regular basis.

The only amendment that MedChi would suggest is that the “nature of the crime” be added to the list of factors that the Board consider. While the bill requires consideration of the “circumstances” surrounding the crime, adequate consideration should be given to the nature of the crime as well. For example, an isolated disorderly conduct charge against a person while a junior in college should clearly be viewed differently than a felony committed while an adult. The amendment gives the board a better ability to make that distinction.

Finally, MedChi does have some concern that, following the first license renewal cycle after implementation of the law, the volume of background checks may be more than the Central Repository can handle in a timely manner. This is important because the window of time to process a physician renewal application is limited. However, the Board has been advised by the Central Repository that this will not be an issue, and the Board has advised MedChi of the same.

For these reasons, MedChi supports Senate Bill 449.

For more information call:

J. Steven Wise
Joseph A. Schwartz, III
Pamela Metz Kasemeyer
Danna L. Kauffman
410-244-7000