

MedChi

The Maryland State Medical Society

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TO: The Honorable Peter A. Hammen, Chairman
Members, House Health & Government Operations Committee
The Honorable Kirill Reznik

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

DATE: February 24, 2010

RE: **OPPOSE** – House Bill 541 – *Health Occupations – Wellness Practitioners – Exemption from Licensure as Physicians*

The Maryland State Medical Society (MedChi), which represents over 7,300 Maryland physicians and their patients, opposes House Bill 541.

House Bill 541 permits the practice of “complementary and alternative health services” in Maryland and exempts the activities of “wellness providers” from the Medical Practice Act. MedChi opposes this legislation for a number of reasons.

House Bill 541 permits unlicensed and untrained individuals to provide healthcare services to patients. The Health Occupations Article of the Annotated Code is filled with the licensure requirements for other health care providers like nurses and physicians. These laws mandate that a person meet basic levels of education, training and professional competence set by accrediting bodies in order to practice a health profession.

However, there appear to be no nationally recognized standards or accreditation bodies for wellness practitioners. MedChi does not believe a health care field so undefined should be sanctioned in the State.

Moreover, House Bill 541 does not require wellness providers to become registered, certified or licensed, as is the case with every other health care profession. For the public to be properly protected from wellness providers the State must know who they are and House Bill 541 provides no mechanism for such identification.

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Furthermore, a health occupation is normally defined by what the practitioner has been determined professionally competent to do, not what they *cannot* do. House Bill 541 defines what wellness practitioners may not do, most of which is clearly the practice of medicine. In MedChi's view, much of what remains permissible is also either within the scope of the practice of medicine or other practice acts. An individual with no defined training should not be sanctioned to undertake those acts.

MedChi recognizes that the sponsor's intention may be to provide the public with notice of what they are entering into through a disclosure statement when visiting a wellness practitioner. While this may inform the public, MedChi believes that what the public needs is assurance that wellness practitioners meet some minimum level of competence in what they do. The problem is that no one is exactly sure what it is they do. Until what they do and what skills are necessary to perform it are known, MedChi believes that disclosure is simply insufficient and offers little to no protection for the public.

For these reasons, MedChi opposes House Bill 541.

For more information call:

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