

# MedChi

*The Maryland State Medical Society*

1211 Cathedral Street  
Baltimore, MD 21201-5516  
410.539.0871  
Fax: 410.547.0915

1.800.492.1056

www.medchi.org

TO: The Honorable Joan Carter Conway, Chairman  
Members, Senate Education, Health & Environmental Affairs Committee

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

DATE: February 18, 2010

RE: **SUPPORT** – Senate Bill 291 – *Health Occupation Boards - Revisions*

---

The Maryland State Medical Society (MedChi), which represents over 7,300 Maryland physicians and their patients, supports Senate Bill 291.

Senate Bill 291 makes a number of changes in the disciplinary processes for health occupations boards. Among those that MedChi finds most important are the 6-year limitation on the time after discovery that a person may file a complaint, absent exceptional circumstances like criminal violations or sexual misconduct, substance abuse or acts that occur while a patient is a minor. Currently there is no limitation on filing actions at all.

Secondly, when a complaint is filed and the case involves the standard of care, Senate Bill 291 allows the licensee to respond to the finding of the peer reviewers if they note a violation. This seems to make common sense and could save limited resources in some cases by providing information not previously known to the Board.

Finally, Senate Bill 291 requires each Board to adopt sanctioning guidelines to ensure some level of uniformity in its disciplinary actions. Notably, the guidelines do not prohibit the Board from deviating from them, based on aggravating or mitigating factors.

The Honorable Joan Carter Conway, Chairman  
Senate Bill 291  
Page Two

MedChi believes Senate Bill 291 provides needed reform with respect to the disciplinary proceedings of health occupations boards, and for that reason asks for the Committee's support.

**For more information call:**

Joseph A. Schwartz, III  
Pamela Metz Kasemeyer  
J. Steven Wise  
410-269-1618