

HOUSE BILL 627

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By: **Delegates Nathan–Pulliam, Benson, Burns, Costa, Donoghue, Hubbard, Jones, Kipke, Kullen, Montgomery, Morhaim, Oaks, Pena–Melnyk, Tarrant, and V. Turner**

Introduced and read first time: February 3, 2010

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations Boards and Committees – Consumer Member**
3 **Requirements**

4 FOR the purpose of requiring that certain consumer members on certain health
5 occupations boards and committees be members of the general public;
6 prohibiting certain consumer members from being or having been a health care
7 professional or in training to be a health care professional or from having a
8 household member who is a health care professional or in training to be a
9 health care professional; prohibiting certain consumer members from
10 participating or ever having participated in certain commercial or professional
11 fields, having a household member who participates in certain commercial or
12 professional fields, or having certain financial interests within a certain period
13 of time; providing certain term requirements for certain consumer members;
14 and generally relating to requirements for consumer members on health
15 occupations boards and committees.

16 BY adding to
17 Article – Health Occupations
18 Section 1–214
19 Annotated Code of Maryland
20 (2009 Replacement Volume)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article – Health Occupations**

24 **1–214.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) IN THIS SECTION, “HEALTH CARE PROFESSIONAL” MEANS A PERSON**
2 **WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED UNDER THIS**
3 **ARTICLE TO PROVIDE HEALTH CARE SERVICES IN THE ORDINARY COURSE OF**
4 **BUSINESS OR PRACTICE OF A PROFESSION.**

5 **(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE**
6 **CONSUMER MEMBER OF A BOARD OR COMMITTEE ESTABLISHED UNDER THIS**
7 **ARTICLE:**

8 **(1) SHALL BE A MEMBER OF THE GENERAL PUBLIC;**

9 **(2) MAY NOT BE OR EVER HAVE BEEN:**

10 **(I) A HEALTH CARE PROFESSIONAL; OR**

11 **(II) IN TRAINING TO BE A HEALTH CARE PROFESSIONAL;**

12 **(3) MAY NOT HAVE A HOUSEHOLD MEMBER WHO IS A HEALTH**
13 **CARE PROFESSIONAL OR IN TRAINING TO BE A HEALTH CARE PROFESSIONAL;**
14 **AND**

15 **(4) MAY NOT:**

16 **(I) PARTICIPATE OR EVER HAVE PARTICIPATED IN A**
17 **COMMERCIAL OR PROFESSIONAL FIELD RELATED TO THE JURISDICTION OF THE**
18 **BOARD OR COMMITTEE;**

19 **(II) HAVE A HOUSEHOLD MEMBER WHO PARTICIPATES IN A**
20 **COMMERCIAL OR PROFESSIONAL FIELD RELATED TO THE JURISDICTION OF THE**
21 **BOARD OR COMMITTEE; OR**

22 **(III) HAVE, OR HAVE HAD WITHIN 2 YEARS BEFORE**
23 **APPOINTMENT, A SUBSTANTIAL FINANCIAL INTEREST IN A PERSON REGULATED**
24 **BY THE BOARD OR COMMITTEE.**

25 **(C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW FOR A**
26 **CONSUMER MEMBER OF A BOARD OR COMMITTEE ESTABLISHED UNDER THIS**
27 **ARTICLE:**

28 **(1) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE**
29 **UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES;**

1 **(2) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN**
2 **SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS**
3 **APPOINTED AND QUALIFIES;**

4 **(3) A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE,**
5 **FULL TERMS; AND**

6 **(4) TO THE EXTENT PRACTICABLE, THE BOARD OR COMMITTEE**
7 **SHALL FILL ANY VACANCY ON THE BOARD OR COMMITTEE WITHIN 60 DAYS OF**
8 **THE DATE OF THE VACANCY.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2010.