

SENATE BILL 851

J2
SB 345/06 – EHE

71r2879

By: **Senators Lenett, Colburn, Dyson, Klausmeier, Madaleno, and Middleton**
Introduced and read first time: February 19, 2007
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Physicians – Unauthorized Practice of Medicine – Penalty**

3 FOR the purpose of making it a felony for certain persons to engage in, attempt to
4 engage in, or offer to engage in the unauthorized practice of medicine; providing
5 for certain penalties; and generally relating to the unauthorized practice of
6 medicine.

7 BY repealing and reenacting, without amendments,
8 Article – Health Occupations
9 Section 14–601
10 Annotated Code of Maryland
11 (2005 Replacement Volume and 2006 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Health Occupations
14 Section 14–606
15 Annotated Code of Maryland
16 (2005 Replacement Volume and 2006 Supplement)

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

19 **Article – Health Occupations**

20 14–601.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Except as otherwise provided in this title, a person may not practice, attempt to
2 practice, or offer to practice medicine in this State unless licensed by the Board.

3 14-606.

4 (a) (1) **[A] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS**
5 **SUBSECTION, A** person who violates any provision of this subtitle is guilty of a
6 misdemeanor and on conviction is subject to a fine not exceeding \$5,000 or
7 imprisonment not exceeding 5 years or both.

8 (2) A person who violates any provision of § 14-503 of this title is
9 guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500.

10 (3) **[Any] A** person who is required to give notice under § 14-505
11 (“Reporting burn treatment”) of this title, and who fails to give the required notice, is
12 liable for a civil penalty of not more than \$100.

13 (4) **[Any] EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS**
14 **SUBSECTION, A** person who violates § 14-601 of this subtitle is:

15 (I) **GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT**
16 **TO A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 5 YEARS**
17 **OR BOTH; AND**

18 (II) **[subject] SUBJECT** to a civil fine of not more than \$50,000
19 to be levied by the Board.

20 (5) **THE PROVISIONS OF PARAGRAPH (4) OF THIS SUBSECTION DO**
21 **NOT APPLY TO A LICENSEE WHO HAS FAILED TO RENEW A LICENSE UNDER §**
22 **14-316 OF THIS TITLE AND LESS THAN 30 DAYS HAVE ELAPSED.**

23 (b) The Board shall pay any penalty collected under this section into the
24 Board of Physicians Fund.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2007.