

SENATE BILL 882

C4

9lr1174
CF 9lr1173

By: **Senator Klausmeier**

Introduced and read first time: February 6, 2009

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Physicians – Professional Liability Insurance Coverage – Notification and**
3 **Posting Requirements**

4 FOR the purpose of requiring physicians licensed to practice medicine in the State to
5 notify patients in writing and on each visit of certain information relating to
6 professional liability insurance coverage; requiring physicians to maintain
7 certain records and post certain information in their place of practice;
8 authorizing the Board of Physicians to establish language for certain notice
9 requirements; and generally relating to physicians and professional liability
10 insurance.

11 BY adding to
12 Article – Health Occupations
13 Section 14–508
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2008 Supplement)

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

18 **Article – Health Occupations**

19 **14–508.**

20 (A) **EACH LICENSEE PRACTICING MEDICINE IN THE STATE SHALL**
21 **NOTIFY A PATIENT IN WRITING AND ON EACH VISIT IF:**

22 (1) **THE LICENSEE DOES NOT MAINTAIN PROFESSIONAL**
23 **LIABILITY INSURANCE COVERAGE; OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) THE LICENSEE'S PROFESSIONAL LIABILITY INSURANCE**
2 **COVERAGE HAS LAPSED FOR ANY PERIOD OF TIME AND THE LICENSEE'S**
3 **COVERAGE HAS NOT BEEN RENEWED.**

4 **(B) THE WRITTEN NOTIFICATION PROVIDED TO THE PATIENT UNDER**
5 **SUBSECTION (A) OF THIS SECTION MUST BE:**

6 **(1) SIGNED BY THE PATIENT AT THE TIME OF THE PATIENT'S**
7 **VISIT; AND**

8 **(2) RETAINED BY THE LICENSEE AS PART OF THE LICENSEE'S**
9 **PATIENT RECORDS.**

10 **(C) EACH LICENSEE PRACTICING MEDICINE IN THE STATE WHO DOES**
11 **NOT MAINTAIN PROFESSIONAL LIABILITY INSURANCE COVERAGE MUST**
12 **CONSPICUOUSLY POST SUCH INFORMATION IN THE LICENSEE'S PLACE OF**
13 **PRACTICE.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That the Board of Physicians
15 shall devise appropriate language for the notification requirements provided for in this
16 Act.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2009.