

SB0180/854033/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 180
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 29, after “reasons;” insert “requiring certain individuals to complete and submit to the Board a certain written attestation before practicing naturopathic medicine in the State; requiring the Board to maintain certain written attestations and make them available to the State Board of Physicians under certain circumstances; requiring certain individuals under certain circumstances to submit a new written attestation to the Board;”.

On page 3, in line 17, after “terms;” insert “providing for the construction of a certain provision of this Act; providing for the effective dates of this Act;”.

On page 4, after line 3, insert:

“BY repealing

Article - Health Occupations

Section 7.5-302

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

(As enacted by Section 2 of this Act)”.

AMENDMENT NO. 2

On page 12, after line 19, insert:

“7.5-302.

(A) THIS SECTION MAY NOT BE CONSTRUED TO LIMIT THE ABILITY OF A LICENSED NATUROPATHIC PHYSICIAN TO RECEIVE REFERRALS FROM OR MAKE

(Over)

REFERRALS TO A PHYSICIAN LICENSED UNDER TITLE 14 OF THIS ARTICLE WITH WHOM THE LICENSED NATUROPATHIC PHYSICIAN DOES NOT HAVE A COLLABORATION AND CONSULTATION AGREEMENT.

(B) IN ADDITION TO THE REQUIREMENTS OF § 7.5-301 OF THIS SUBTITLE, BEFORE AN INDIVIDUAL MAY PRACTICE NATUROPATHIC MEDICINE IN THE STATE, THE INDIVIDUAL SHALL COMPLETE AND SUBMIT TO THE BOARD A BOARD-APPROVED WRITTEN ATTESTATION THAT:

(1) STATES THAT THE INDIVIDUAL HAS A COLLABORATION AND CONSULTATION AGREEMENT WITH A PHYSICIAN LICENSED UNDER TITLE 14 OF THIS ARTICLE;

(2) INCLUDES THE NAME AND LICENSE NUMBER OF THE PHYSICIAN WITH WHOM THE INDIVIDUAL HAS A COLLABORATION AND CONSULTATION AGREEMENT;

(3) STATES THAT THE INDIVIDUAL WILL REFER PATIENTS TO AND CONSULT WITH PHYSICIANS AND OTHER HEALTH CARE PROVIDERS LICENSED OR CERTIFIED UNDER THIS ARTICLE AS NEEDED; AND

(4) STATES THAT THE INDIVIDUAL WILL REQUIRE PATIENTS TO SIGN A CONSENT FORM THAT STATES THAT THE INDIVIDUAL'S PRACTICE OF MEDICINE IS LIMITED TO THE SCOPE OF PRACTICE IDENTIFIED IN § 7.5-306 OF THIS SUBTITLE.

(C) THE BOARD SHALL:

(1) MAINTAIN THE WRITTEN ATTESTATIONS SUBMITTED TO THE BOARD UNDER SUBSECTION (B) OF THIS SECTION; AND

(2) MAKE THE WRITTEN ATTESTATIONS SUBMITTED TO THE BOARD UNDER SUBSECTION (B) OF THIS SECTION AVAILABLE TO THE STATE BOARD OF PHYSICIANS ON THE REQUEST OF THE STATE BOARD OF PHYSICIANS.

(D) IF AN INDIVIDUAL WHO SUBMITTED A WRITTEN ATTESTATION TO THE BOARD UNDER SUBSECTION (B) OF THIS SECTION TERMINATES OR CHANGES THE COLLABORATION AND CONSULTATION AGREEMENT THAT WAS REFERENCED IN THE ATTESTATION, THE INDIVIDUAL IMMEDIATELY SHALL SUBMIT, BY MAIL OR FACSIMILE, A NEW WRITTEN ATTESTATION TO THE BOARD.”;

in line 20, strike “~~7.5-302.~~” and substitute “7.5-303.”; and in line 25, strike “~~§ 7.5-304~~” and substitute “§ 7.5-305”.

On page 13, in lines 17 and 32, strike “~~7.5-303.~~” and “~~7.5-304.~~”, respectively, and substitute “7.5-304.” and “7.5-305.”, respectively; and in line 24, strike “~~§ 7.5-304~~” and substitute “§ 7.5-305”.

On page 14, in line 6, strike “~~§ 7.5-303~~” and substitute “§ 7.5-304”; and in lines 20 and 23, strike “~~7.5-305.~~” and “~~7.5-306.~~”, respectively, and substitute “7.5-306.” and “7.5-307.”, respectively.

On page 15, in line 13, after “EXERCISE” insert “FOR THE PURPOSE OF PROVIDING PRIMARY CARE SERVICES”; and in line 14, after “DEVICES” insert “FOR THE PURPOSE OF PROVIDING PRIMARY CARE SERVICES”.

On page 17, in lines 3 and 21, strike “~~7.5-307.~~” and “~~7.5-308.~~”, respectively, and substitute “7.5-308.” and “7.5-309.”, respectively.

(Over)

On page 18, in line 11, strike “§ 7.5-307” and substitute “§ 7.5-308”; and in line 18, strike “7.5-309.” and substitute “7.5-310.”.

On page 27, after line 29, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health Occupations

[7.5-302.

(a) This section may not be construed to limit the ability of a licensed naturopathic physician to receive referrals from or make referrals to a physician licensed under Title 14 of this article with whom the licensed naturopathic physician does not have a collaboration and consultation agreement.

(b) In addition to the requirements of § 7.5-301 of this subtitle, before an individual may practice naturopathic medicine in the State, the individual shall complete and submit to the Board a Board-approved written attestation that:

(1) States that the individual has a collaboration and consultation agreement with a physician licensed under Title 14 of this article;

(2) Includes the name and license number of the physician with whom the individual has a collaboration and consultation agreement;

(3) States that the individual will refer patients to and consult with physicians and other health care providers licensed or certified under this article as needed; and

(4) States that the individual will require patients to sign a consent form that states that the individual's practice of medicine is limited to the scope of practice identified in § 7.5-306 of this subtitle.

(c) The Board shall:

(1) Maintain the written attestations submitted to the Board under subsection (b) of this section; and

(2) Make the written attestations submitted to the Board under subsection (b) of this section available to the State Board of Physicians on the request of the State Board of Physicians.

(d) If an individual who submitted a written attestation to the Board under subsection (b) of this section terminates or changes the collaboration and consultation agreement that was referenced in the attestation, the individual immediately shall submit, by mail or facsimile, a new written attestation to the Board.];

and in line 30, strike "3." and substitute "4.".

On page 28, in lines 4 and 7, strike "4." and "5.", respectively, and substitute "5." and "6.", respectively; after line 12, insert:

"SECTION 7. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect October 1, 2015.";

in line 13, strike "6." and substitute "8."; and in the same line, after "That" insert " , except as provided in Section 7 of this Act.".