

This Subcommittee recommended after careful and thoughtful consideration of the entire subject that Maryland should repeal its criminal laws on abortion. The Subcommittee pointed out that such a repeal would mean that abortions hereafter would be solely a medical procedure and therefore performed by physicians subject to the standards of accepted medical practice and in licensed hospitals.

In addition to the repeal of the laws on criminal abortion, it is desirable to remove references to that offense from the laws in the Medical Practices Act and also to make illegal certain forms of advertising concerning abortions performed in places other than hospitals and also the sale or promotion of certain drugs or devices which might be used for such purpose in a place other than a hospital; now, therefore

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 3 of Article 27 of the Annotated Code of Maryland (1967 Replacement Volume), title "Crimes and Punishments," subtitle "Abortion," be and it is hereby repealed.

SEC. 2. *And be it further enacted,* That Section 145 of Article 43 of said Code (1967 Supplement), title "Health," subtitle "Practitioners of Medicine," be and it is hereby repealed and re-enacted, with amendments, that new Sections 149E and ~~149F~~ 149F AND 149G be and they are hereby added to said Article 43 (1967 Replacement Volume and 1967 Supplement), to be under the said subtitle "Practitioners of Medicine," and under the new subheading "Abortion," and all to read as follows:

145.

The Board of Medical Examiners of this State may, by a vote of five members, revoke or suspend any license which has been issued, and may cause the name of any physician so licensed to be removed from the register of the licentiates of the city or county where it may be recorded, or may place a physician on probation, for any of the following causes, to wit: the use of fraud or deception in obtaining the license provided in this subtitle, habitual drunkenness, insanity as determined in accordance with the provisions of Article 59, addiction to narcotics, [criminal abortion,] *termination of human pregnancy involving a violation of Section ~~149F~~ 149E of this subtitle,* conviction of crime involving moral turpitude or unprofessional or dishonorable conduct; provided that any revocation or suspension proceedings before the Board of Medical Examiners selected by the Medical and Chirurgical Faculty heretofore adjudicated shall not be revived by reason of the provisions hereof. Before proceeding to revoke or suspend any such license, the person against whom complaint is made shall be furnished with a copy of the complaint and charges made against him, and shall be given an opportunity for a hearing before the Board, in person or by attorney, and at such hearing testimony may be offered for and against the person so charged. The action of the Board shall be reduced to writing, stating also the reasons for said action, and a copy thereof shall be delivered or mailed to the person against whom complaint is made; said party shall have the right of appeal to the circuit court of the city or county wherein he may reside or where the license is recorded,