

appropriate.

BY repealing and re-enacting, with amendments,

Article 43 - Health  
Section 130(g) and 130(h)  
Annotated Code of Maryland  
(1971 Replacement Volume and 1974 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Sections 130(g) and 130(h) of Article 43 - Health, of the Annotated Code of Maryland (1971 Replacement Volume and 1974 Supplement) be and they are hereby repealed and re-enacted, with amendments, to read as follows:

Article 43 - Health

130.

(g) (1) The Commission shall refer any cases coming to its attention to the appropriate local county society or committee of the Medical and Chirurgical Faculty of the State of Maryland, for investigation and report. The report shall be acted upon within 90 days unless there is a time extension granted by the Commission. The report shall contain recommendations the investigation reveals may be necessary for adequate disciplinary procedures. The recommendations shall then be considered by the Commission, which shall take whatever action it deems appropriate, as provided herein. All investigations, reports, and recommendations shall be considered confidential until such time as a final action is taken by the Commission.

(2) The Medical and Chirurgical Faculty of the State of Maryland may initiate action by virtue of information coming to its attention from its own members or through any other source, such cases being handled in the same manner as though they had been referred to it by the Commission.

[(3) IN MAKING ITS INVESTIGATION THE COMMISSION MAY REQUEST A PHYSICIAN TO SUBMIT TO AN APPROPRIATE EXAMINATION BY PHYSICIANS DESIGNATED BY THE COMMISSION AT THE EXPENSE OF THE COMMISSION. FAILURE OF A PHYSICIAN TO SUBMIT TO THE REQUEST WHEN REQUESTED CONSTITUTES AN ADMISSION OF INABILITY TO PRACTICE COMPETENTLY UNLESS THE FAILURE IS DUE TO CIRCUMSTANCES BEYOND HIS CONTROL, AND A DEFAULT AND FINAL ORDER MAY BE ENTERED WITHOUT THE TAKING OF TESTIMONY OR PRESENTATION OF EVIDENCE. A PHYSICIAN AFFECTED UNDER THIS PROCEEDING