Insurance – Exemption of Volunteer Physicians from Medical Malpractice Tax

FOR the purpose of exempting certain physicians performing medical services from the one-time tax imposed for medical malpractice insurance purposes, and providing a refund to these physicians who have already paid the tax.

BY repealing and reenacting, with amendments,

Article 48A – Insurance Code
Section 552(b)
Annotated Code of Maryland
(1972 Replacement Volume and 1975 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 552(b) of Article 48A – Insurance Code, of the Annotated Code of Maryland (1972 Replacement Volume and 1975 Supplement) be and it is hereby repealed and reenacted, with amendments, to read as follows:

Article 48A – Insurance Code

552.

(b) A special one-time tax for the privilege of practicing medicine in Maryland is levied on licensed physicians listed by the State Treasurer in accordance with subsection (a) in the amount of $300 per licensed physician, to be levied, assessed, and collected by the State Treasurer. The tax does not apply to any licensed physician who submits a statement, sworn to under penalties of perjury, stating that he has permanently terminated the active practice of medicine in the State of Maryland OR TO ANY LICENSED PHYSICIAN WHO SUBMITS A STATEMENT, SWORN TO UNDER PENALTIES OF PERJURY, STATING THAT HE IS PRACTICING MEDICINE [[EXCLUSIVELY]] AS A VOLUNTEER FOR NO REMUNERATION AT A CLINIC NOT OPERATED FOR PROFIT AND STATING THAT HE IS NOT OTHERWISE ENGAGED IN THE PRIVATE PRACTICE OF MEDICINE IN THE STATE OF MARYLAND [[OR TO ANY LICENSED PHYSICIAN WHO IS A FULL-TIME EMPLOYEE OF A HOSPITAL OR A FULL-TIME TEACHER IN A MEDICAL SCHOOL IN THE STATE AND WHO SUBMITS A STATEMENT, SWORN TO UNDER PENALTIES OF PERJURY, STATING THAT HE IS NOT OTHERWISE ENGAGED IN THE PRACTICE OF MEDICINE IN THE STATE OF MARYLAND]] OR TO ANY RESIDENT STUDENT PHYSICIAN WHOSE SERVICES ARE NOT BILLED SEPARATELY. The statement shall be in form established by the State Treasurer.

SECTION 2. AND BE IT FURTHER ENACTED, That any exempt person who has paid the tax required by Section [[551]] 552(b) of Article 48A of the Code, is entitled to a refund of the tax upon proper claim, proof of payment, and sworn statement by the exempt person to the State Treasurer.