

authorizing the Commission to perform supplemental investigations; and altering the procedures whereby the Commission may order a physician to submit to an appropriate examination; ~~--consolidating the provisions dealing with confidentiality of Commission proceedings, records, files and orders, and providing that Commission proceedings, records and files are confidential after the Commission takes final action in a case.~~

BY repealing and reenacting, with amendments,

Article 43 - Health
Section 130(g)(1), (3), and (q)
Annotated Code of Maryland
(1971 Replacement Volume and 1979 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 43 - Health

130.

(g) (1) [The] AFTER PERFORMING ANY PRELIMINARY INVESTIGATION IT CONSIDERS NECESSARY, 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] THE INVESTIGATORY BODY SHALL COMPLETE ITS REVIEW AND SUBMIT A REPORT TO THE COMMISSION within 90 days OF THE DATE OF THE REFERRAL unless there is a time extension granted by the Commission. IF THE INVESTIGATORY BODY DOES NOT COMPLETE ITS INVESTIGATION AND SUBMIT ITS REPORT TO THE COMMISSION WITHIN 90 DAYS, THE COMMISSION MAY RE-REFER THE CASE TO SOME OTHER INVESTIGATORY BODY. The report shall contain recommendations THAT 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. IN ADDITION TO ANY OTHER POWER PROVIDED IN THIS SECTION, AFTER IT HAS RECEIVED A REPORT AND RECOMMENDATION FROM AN INVESTIGATORY BODY, THE COMMISSION MAY PERFORM A SUPPLEMENTAL INVESTIGATION. ~~--All investigations, reports, and recommendations shall be considered confidential until such time as a final action is taken by the Commission.--}~~

(3) [The investigating body as provided in paragraphs (1) and (2) of this subsection] AT THE REQUEST OF AN INVESTIGATORY BODY OR ON ITS OWN INITIATIVE, THE COMMISSION may [request] DIRECT a physician to submit to an appropriate examination by a physician approved by the Commission. The expense of the examination shall be borne