

that governs another health occupation. The organizational pattern used in this article closely follows that of the health occupation licensing statute most recently enacted by the General Assembly. See Ch. 715, Acts of 1979.

Some acts fall within the scope of the practice of more than one health occupation. This overlap is recognized expressly in the statutes that govern some health occupations. See, e.g., present Art. 43, § 479 regarding osteopathy, which states, "nothing contained in this subtitle shall be construed ~~as~~ affecting the so-called practice of medicine" and present Art. 43, § 504, which grants the State Board of Chiropractic Examiners the right to issue a license with the right to practice physical therapy to certain qualified applicants. Some of the present subtitles governing health occupations do not include these express exemptions, and many of the express exemptions that do appear are obsolete, e.g., they do not recognize health occupations that have developed since the exemptions were enacted. The Commission interprets the legislative intent behind the present law to be to grant each licensee the right to practice the health occupation for which the license is issued even though a person licensed to practice another health occupation may be authorized to perform some of the same acts. To recognize this intent expressly, except where the present law provides to the contrary, the Commission has added to each title of this article, other than Title 1, the affirmative statement that the "title does not limit the right of an individual to practice a health occupation that the individual is authorized to practice under this article".

Throughout this article, the terms "license" and "licensed" are used to denote an authorization to practice a particular health occupation that a person who is not licensed in that health occupation may not practice. Also throughout this article, the terms "certification" and "certified" are used to indicate an official recognition of an individual as a qualified practitioner and an accompanying grant of the exclusive privilege or right to make certain representations. Thus, a certified individual may make certain representations that an uncertified person may not make, but the certified individual is not authorized to provide any service that an uncertified person may not provide. In a few places in this article, the term "permit" is used to denote the authorization to perform certain limited acts that are related to a particular health occupation and that a person without a permit may not perform. None of these terms have any legal significance in themselves, and the Commission easily could have decided to use any of them in a different sense or to use different terms. The real significance lies in the substantive provisions in which these terms appear. However, the Commission believes that, if the terms consistently are used as indicated, the substantive provisions become more easily understandable.