

permitting a licensee to present certain evidence of mental or physical health to the Board; and generally relating to the practice of optometry.

BY repealing and reenacting, with amendments,

Article - Health Occupations
Section 10-205(a) and 10-312
Annotated Code of Maryland
(1981 Volume and 1981 Supplement)

BY adding to

Article - Health Occupations
Section 10-205.1 and 10-207.1
Annotated Code of Maryland
(1981 Volume and 1981 Supplement)

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

Article - Health Occupations

10-205.

(a) In addition to the powers set forth elsewhere in this title, [each member of] the Board [may administer oaths and take affidavits for any matter under the jurisdiction of the Board.] HAS THE FOLLOWING POWERS:

(1) EACH MEMBER OF THE BOARD MAY ADMINISTER OATHS AND TAKE AFFIDAVITS FOR ANY MATTER UNDER THE JURISDICTION OF THE BOARD; AND

(2) THE BOARD MAY ADOPT RULES AND REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS TITLE INCLUDING STANDARDS FOR PATIENT CARE.

10-205.1.

(A) IN CONNECTION WITH ANY INVESTIGATION OF CHARGES UNDER § 10-312 OF THIS SUBTITLE, THE BOARD MAY REQUEST THE LICENSEE TO SUBMIT TO AN APPROPRIATE PHYSICAL OR MENTAL EXAMINATION BY A LICENSED PHYSICIAN DESIGNATED BY THE BOARD.

(B) IN RETURN FOR THE PRIVILEGE GIVEN TO A LICENSEE TO PRACTICE OPTOMETRY IN THIS STATE, THE LICENSEE IS DEEMED TO HAVE:

(1) CONSENTED TO SUBMIT TO AN EXAMINATION UNDER THIS SECTION, IF REQUESTED BY THE BOARD IN WRITING; AND

(2) WAIVED ANY CLAIM OR PRIVILEGE AS TO THE TESTIMONY OR EXAMINATION REPORTS OF THE EXAMINING PHYSICIAN.