

reference to action for failure to "meet the requirements that the Secretary adopts under this subtitle" is substituted for the reference to "any rules or regulations regularly adopted by the Secretary", which was overly broad in light of the authority of the Secretary throughout this and other articles and unnecessary in light of the broad authority under this subtitle.

The former specific reference to compliance with the "standards or qualifications" is deleted as unnecessary since they are set by rule or regulation under §§ 17-202 and 17-203 of this subtitle.

As to inspections generally, see § 17-202 of this subtitle.

Defined terms: "Medical laboratory" § 17-201  
"Permit" § 17-201 "Secretary" § 1-101

17-212. PROFICIENCY TEST FOR EXEMPTED PHYSICIANS.

(A) PROFICIENCY REQUIRED.

A PHYSICIAN WHO IS EXEMPTED FROM THE PERMIT REQUIREMENTS OF THIS SUBTITLE SHALL DEMONSTRATE SATISFACTORY PERFORMANCE IN A PROFICIENCY TESTING PROGRAM IN APPLICABLE LABORATORY PROCEDURES BEFORE THE PHYSICIAN PERFORMS ANY MEDICAL LABORATORY PROCEDURE.

(B) PROFICIENCY TEST.

(1) THE DEPARTMENT SHALL ESTABLISH THE STANDARDS FOR DEMONSTRATING SATISFACTORY PERFORMANCE IN THE PROFICIENCY TESTING PROGRAM.

(2) THE DEPARTMENT OR AN ORGANIZATION APPROVED BY THE SECRETARY SHALL CONDUCT THE PROFICIENCY TESTING PROGRAM.

(C) FEE.

A PHYSICIAN SHALL PAY TO THE DEPARTMENT THE TEST FEE SET BY THE SECRETARY.

(D) FAILURE BY PHYSICIAN.

IF A PHYSICIAN FAILS TO DEMONSTRATE SATISFACTORY PERFORMANCE IN A PROFICIENCY TESTING PROGRAM, THE DEPARTMENT SHALL NOTIFY THE COMMISSION ON MEDICAL DISCIPLINE OF MARYLAND.

REVISOR'S NOTE: Subsections (a), (b), and (d) of this section formerly appeared as the tenth, eleventh,