

(2) Does not represent as true any matter that the person does not reasonably believe to be true.

Article - Health - General

19-319.

(E) (1) AS A CONDITION OF LICENSURE, EACH HOSPITAL SHALL ESTABLISH A CREDENTIALLING PROCESS FOR THE PHYSICIANS WHO ARE EMPLOYED BY OR WHO HAVE STAFF PRIVILEGES AT THE HOSPITAL.

(2) THE SECRETARY SHALL, BY REGULATION AND IN CONSULTATION WITH HOSPITALS AND--PHYSICIANS PHYSICIANS, INTERESTED COMMUNITY AND ADVOCACY GROUPS, AND REPRESENTITIVES OF THE MARYLAND DEFENSE BAR AND PLAINTIFFS' BAR, ESTABLISH MINIMUM STANDARDS FOR A CREDENTIALLING PROCESS WHICH SHALL INCLUDE:

(I) A FORMAL WRITTEN APPOINTMENT PROCESS DOCUMENTING THE PHYSICIAN'S EDUCATION, CLINICAL EXPERTISE, LICENSURE HISTORY, INSURANCE HISTORY, MEDICAL HISTORY, CLAIMS HISTORY, AND PROFESSIONAL EXPERIENCE.

(II) A REQUIREMENT THAT AN INITIAL APPOINTMENT TO STAFF NOT BE COMPLETE UNTIL THE PHYSICIAN HAS SUCCESSFULLY COMPLETED A PROBATIONARY PERIOD.

(III) A FORMAL, WRITTEN REAPPOINTMENT PROCESS TO BE CONDUCTED AT LEAST EVERY 2 YEARS. THE REAPPOINTMENT PROCESS SHALL DOCUMENT THE PHYSICIAN'S PATTERN OF PERFORMANCE BY ANALYZING CLAIMS FILED AGAINST THE PHYSICIAN, DATA DEALING WITH UTILIZATION, QUALITY, AND RISK, A REVIEW OF CLINICAL SKILLS, ADHERENCE TO HOSPITAL BYLAWS, POLICIES AND PROCEDURES, COMPLIANCE WITH CONTINUING EDUCATION REQUIREMENTS, AND MENTAL AND PHYSICAL STATUS.

(3) IF REQUESTED BY THE DEPARTMENT, A HOSPITAL SHALL PROVIDE DOCUMENTATION THAT, PRIOR TO EMPLOYING OR GRANTING PRIVILEGES TO A PHYSICIAN, THE HOSPITAL HAS COMPLIED WITH THE REQUIREMENTS OF THIS SUBSECTION AND THAT, PRIOR TO RENEWING EMPLOYMENT OR PRIVILEGES, THE HOSPITAL HAS COMPLIED WITH THE REQUIREMENTS OF THIS SUBSECTION.

(4) IF A HOSPITAL FAILS TO ESTABLISH OR MAINTAIN A CREDENTIALING PROCESS REQUIRED UNDER THIS SUBSECTION, THE SECRETARY MAY IMPOSE THE FOLLOWING PENALTIES:

(I) DELICENSURE OF THE HOSPITAL; OR

(II) \$500 PER DAY FOR EACH DAY THE VIOLATION CONTINUES.

(F) (1) AS A CONDITION OF LICENSURE, EACH HOSPITAL SHALL ESTABLISH A RISK MANAGEMENT PROGRAM.