

CHAPTER 188

(House Bill 198)

AN ACT concerning

Physicians - Laboratory Permits and Proficiency Testing

FOR the purpose of authorizing the Secretary of Health and Mental Hygiene to grant an exception to medical laboratory permit requirements for certain group physicians; specifying certain circumstances which must exist before the Secretary may grant an exception; requiring that a physician or group practice exempted from certain permit requirements participate in a proficiency testing program or satisfy certain requirements set by the Secretary of Health and Mental Hygiene through rules and regulations; and generally relating to physicians and group practice laboratory licensure.

BY repealing and reenacting, with amendments,

Article - Health - General
Section 17-205 and 17-212
Annotated Code of Maryland
(1982 Volume and 1985 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - General

17-205.

(a) Except as otherwise provided in this subtitle, a person shall hold a permit issued by the Secretary before the person may:

- (1) Operate a medical laboratory in this State; or
- (2) Represent or service in this State any medical laboratory that is outside this State.

(b) This section does not apply to a physician or a group of not more than 3 physicians [if the physician or group:]. THE SECRETARY MAY GRANT AN EXCEPTION TO THE PERMIT REQUIREMENTS OF THIS SUBTITLE FOR A EACH GROUP OF MORE THAN 3 PHYSICIANS IF EACH PHYSICIAN IN THE GROUP PERSONALLY:

- (1) [Is performing a medical laboratory procedure for a patient of the the physician or group; and] PERFORMS OR SUPERVISES MEDICAL LABORATORY PROCEDURES ONLY FOR THE PHYSICIAN'S PATIENTS OR PATIENTS OF THE GROUP;