

(2) Satisfy the requirements set by the Secretary through rules and regulations.

(b) (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.

(3) ALL CYTOLOGY PROFICIENCY TESTS CONDUCTED UNDER THE PROFICIENCY TESTING PROGRAM SHALL BE HANDCARRIED ON SITE AND UNANNOUNCED UNDER THE SUPERVISION OF AN OFFICIAL OF THE LABORATORY ADMINISTRATION OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, OR AN ORGANIZATION APPROVED BY THE SECRETARY.

(c) A physician shall pay to the Department the test fee set by the Secretary.

(d) If a physician fails to demonstrate satisfactory performance in a proficiency testing program, the Department shall notify the Commission on Medical Discipline of Maryland.

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A person who violates any provision of this subtitle is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$100 for the first offense and not exceeding \$500 for each subsequent conviction for a violation of the same provision. Each day a violation is continued after the first conviction is a subsequent offense.

SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Health and Mental Hygiene, in consultation with the State Board of Medical Examiners and the Medical and Chirurgical Faculty shall conduct a study to determine:

1. The number of physicians or groups of physicians exempt from the permit requirements of § 17-205 of the Health - General Article that are performing medical laboratory procedures;

2. The types of medical laboratory procedures those physicians or groups of physicians exempt from the permit requirements of § 17-205 of the Health - General Article are performing;

3. The types of medical laboratory equipment those physicians or groups of physicians exempt from the permit requirements of § 17-205 of the Health - General Article are using to perform medical laboratory procedures;