

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1993.

Approved April 13, 1993.

CHAPTER 13

(Senate Bill 103)

AN ACT concerning

State Board of Examiners of Psychologists

FOR the purpose of clarifying the authority of the State Board of Examiners of Psychologists to issue subpoenas under certain circumstances; and generally relating to the State Board of Examiners of Psychologists.

BY repealing and reenacting, with amendments,

Article - Health Occupations

Section 18-315(e)

Annotated Code of Maryland

(1991 Replacement Volume and 1992 Supplement)

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

Article - Health Occupations

18-315.

(e) (1) [Through its chairman or vice chairman,] OVER THE SIGNATURE OF AN OFFICER OR THE ADMINISTRATOR OF THE BOARD, the Board may issue subpoenas and administer oaths in connection with any [proceeding under this section] INVESTIGATION UNDER THIS TITLE AND ANY HEARINGS OR PROCEEDINGS BEFORE THE BOARD.

(2) The Board shall issue subpoenas on behalf of the individual if the individual:

(i) Requests that the Board do so; and

(ii) States under oath that the testimony or evidence sought is necessary to the individual's defense.

(3) IF, WITHOUT LAWFUL EXCUSE, AN INDIVIDUAL DISOBEYS A SUBPOENA FROM THE BOARD OR AN ORDER BY THE BOARD TO TAKE AN OATH, TESTIFY, OR ANSWER A QUESTION, ON PETITION OF THE BOARD, A COURT OF COMPETENT JURISDICTION MAY COMPEL COMPLIANCE WITH THE SUBPOENA.