

BOARD OF PODIATRIC MEDICAL EXAMINERS
OPEN SESSION MEETING VIA GOOGLE MEETS

AGENDA (AMENDED)

March 14, 2024

Location: Google Meet meet.google.com/jve-iomd-ofe

Join by phone: (US) +1 413-402-0022 PIN: 630082470

A. ORDER OF BUSINESS

1. Call to Order- Roll Call
2. Approval of minutes from February 08, 2024, meeting Tab A

B. BOARD PRESIDENT'S REPORT

C. EXECUTIVE DIRECTOR'S REPORT

D. OLD BUSINESS:

1. Update on HB 642 - Apprenticeships in Licensed Occupations Act of 2024
Bill was withdrawn by sponsor.
2. Update on HB 581/SB 472- State Government - Permits, Licenses, and Certificates Processing (Transparent Government Act of 2024) Tab B
Update on amendments to the Bill.

E. NEW BUSINESS:

1. Review of Scope of Practice Inquiry Submitted to the Board Regarding Billing Codes for Varithena Procedures Tab C
2. SB 1072/HB 1201- Occupational and Professional Licensing- Military Training and Military Spouse Tab D

Requiring an occupational licensing board to issue a license, certificate, permit, or registration to an applicant who is military trained or who is a military spouse if the applicant meets certain requirements; requiring an occupational licensing board to

consider certain types of experience for a certain calculation; and authorizing an occupational licensing board to issue a temporary license, certificate, permit, or registration under certain circumstances.

3. Maryland Loan Repayment Program for Healthcare Providers

4. NPDB Insights

Tab E

F. ADJOURNMENT

**BOARD OF PODIATRIC MEDICAL EXAMINERS
OPEN SESSION MEETING VIA GOOGLE MEET**



PUBLIC MEETING MINUTES

February 8, 2024

Location: Google Meet meet.google.com/axh-kefj-vfo

Join by phone: (US) +1 724-542-5434 PIN: 878958198

The Public Meeting commenced at 1:03pm, opened by the Board President, Dr. Aparna Duggirala.

Roll call was initiated by the President.

Board members present: Drs. Yvonne Umezurike, H. David Gottlieb, Bruce Fox, and Adam Silverman.

Consumer Members Present: Ms. Frona Kroopnick. Ms. Lynne Brecker, R.N.

Board staff present: Eva Schwartz, Executive Director Elizabeth Kohlhepp, Deputy Executive Director; and Kiana Nicholson, Licensing Coordinator.

Office of the Attorney General: Kristen Fon Lim, AAG, Board Counsel.

Representing MPMA: Mr. Richard Bloch, Executive Director, and Dr. Jay Lebow, MPMA Member.

Guests: Richard Bloch, Esq., Executive Director and Chief Counsel, representing MPMA. Dr Jay LeBow, Director Emeritus, representing FPMB. Zakiyah Holmes- MDH.

Dr. Aparna Duggirala cited COMAR 10.01.14.02.B: "Except in instances when a public body expressly invites public testimony, questions, comments, or other forms of public participation, or when public participation is otherwise authorized by law, a member of the public attending an open session may not participate in the session."

A. MINUTES

- 1. Approval of minutes from the January 11, 2024, meeting.**

The meeting minutes from the January 11, 2024, public meeting, were approved unanimously, as submitted.

B. BOARD PRESIDENT'S REPORT

Dr. Duggirala had no report at this time.

C. EXECUTIVE DIRECTOR'S REPORT

Ms. Schwartz shared with the Board and guests that budget hearings were scheduled for February 8-9, 2024. The Fiscal Analyst will share their concerns regarding all Board's budgets including concern over how some Boards show delinquency in meeting MFR reporting for investigative materials and licensure requirements, therefore leading to a loss in funds. Ms. Schwartz stated that the Board of Podiatry has met all the MFR standards and requirements regarding licensure and complaints resolution/disposition completion timelines.

Ms. Schwartz shared the MDH Secretary's plan to incorporate a new computer platform for the Board of Nursing. The plan is to eventually include implementation of the system to all the MDH Boards, however, there are currently no vendors selected or approved for bids by the MDH Procurement and Purchasing Department. An independent system for the smaller Boards is being discussed as an option but presently, the RFP submitted is pending review by the MDH Procurement Department.

Further, Ms. Schwartz shared that Secretary Tisha Edwards, Secretary of Appointments in Governor Moore's office, submitted an updated list of the Board members' roster. Ms. Schwartz shared that Dr. Fox has been officially reappointed, however, Ms. Kroopnick, Dr. Gottlieb, and Dr. Umezurike will not be reappointed as they have already served two full terms. A meeting will be held by MPMA in April, for election purposes and nominations to the Governor's Office of Appointments, for the two podiatrists' positions on the Board. Both vacancies are new, and they are NOT re-appointment vacancies.

Finally, Ms. Schwartz shared that the Fiscal Auditors have requested reports for Board investigations from fiscal years 2021-present. The purpose of the investigative audit is to ensure that the Boards meet standards and criteria regarding the completion of processes in a timely manner. The audit information will disclose the licensees' names. Ms. Lim shared that the auditors are authorized to be given licensees' information for quality control purposes, as this information would support administrative functions; however, social security numbers, or Personally Identifiable Information are not accessible.

D. OLD BUSINESS:

1. Update Discussion on Amending the Language for the Civil Settlement Reporting Requirements Application Question

Ms. Nicholson shared that the full license, new and renewal applications are updated with the amended language. Changes can be seen to the Full License paper application on the Board's website.

2. Update Licensing Statistics for the 2024-2025 Renewal

Ms. Nicholson shared with the Board statistics for the 2024-2025 license renewal cycle. Ms. Nicholson shared that the renewal cycle began with 491 active, full licensees and on completion of the full license renewals, 440 licensees renewed their license, 14 licensees moved to inactive status, and 37 moved to non-renewed status. Ms. Schwartz shared that the statistics provided are in line with past renewal cycles. Ms. Schwartz

emphasized that the numbers are steady and ensures that a healthy budget is maintained.

3. Ratifying the Executive Meeting Minutes concerning CME Credits awarded for MPMA and MBPME meetings.

Ms. Schwartz shared that the Board would allow one (1) documented CME credit for each MPMA meeting and MBPME meeting attended. Further, Ms. Schwartz emphasized that Board members who currently serve cannot receive a credit for an MBPME meeting; however, non-board members who join MBPME meetings will receive one (1) credit per meeting toward CME's. The Board voted in favor of ratifying the Executive Meeting discussing the CME credits awarded for MPMA and MBPME meetings.

4. Letter of Opposition (Board of Physicians and various Boards)-SB 54

Ms. Schwartz shared that the Occupational and Licensing Boards are opposing the bill and writing a mutual letter of opposition. SB 54 would remove the requirement that applicants disclose certain criminal history, particularly for nonviolent offenses and crimes that did not result in imprisonment. Ms. Schwartz emphasized that not disclosing non-violent crime is fraudulent and unethical and the information should be disclosed. Dr. Duggirala shared that the argument is well written and encompasses all relevant concerns. The Board voted to oppose the Bill and join the letter of opposition.

E. NEW BUSINESS:

1. Discussion Concerning Completion of Character and Fitness Questions on The Renewal Application

Ms. Nicholson shared that the discussion concerning completion of character and fitness questions on the renewal application is to ensure that licensees are completing their own applications and disclosing all relevant information. Ms. Nicholson emphasized that the issue is relevant due to the increase of HCA claims received after the renewal application was submitted and a license awarded. Ms. Schwartz emphasized that it is more accurate to disclose the information before the Board becomes aware of such claims.

2. HB 642 - Apprenticeships in Licensed Occupations Act of 2024

The Board discussed HB 642- Apprenticeships in Licensed Occupation Act of 2024. After discussion, the Board voted to write a Letter of Concern regarding the proposed Bill. Ms. Schwartz explained that the Executive Directors of each Board will write a combined statement explaining that there is no pathway to licensure through apprenticeship. A hearing is scheduled for HB 642 on February 21, 2024.

3. HB 581 State Government - Permits, Licenses, and Certificates - Processing (Transparent Government Act of 2024)

Ms. Schwartz shared that HB 581 State Government- Permits, Licenses, and Certificates- Processing (Transparent Government Act of 2024) was cross filed as SB 0472 in the Senate. The Bill requires a catalog of information from each Board for all licensees and focuses on data logging and collection. After discussion, the Board voted unanimously to Support the Bill.

4. HB 809 Members of Boards, Committees, Commissions, Task Forces, or Workgroups – Removal or Suspension

Dr. Umezurike opened the discussion on HB 809 Members of Boards, Committees, Commissions, Task Forces, or Workgroups- Removal or Suspension by asking if there are any current policies regarding the removal or suspension of Members. Ms. Lim shared that current Members must petition the Governor for removal. The process can be very long and difficult without consent. To file the petition there must be a gross act of misconduct or proof that a member has missed two or more consecutive board meetings without adequate documentation. **Ms. Schwartz shared that the Office of Appointments regulations require that if a Board Member does not have regular or continued attendance at the Board meetings, the Board Member may be asked to resign.** Further, Ms. Schwartz emphasized that the Bill is an interesting change to the process as it allows Board Members to resign on their own. After discussion, the Board voted unanimously in Support of the Bill.

5. Topics Newsletter- Winter 2023

The Topics Newsletter- Winter 2023 was shared for informational purposes.

6. Other

Dr. Lebow presented the advancement of Safe Harbor Provisions. The Provisions are currently adopted as law in 20 states and indicate that if a medical professional has a psychiatric condition or is self-enrolled in a drug treatment plan, and meets all requirements, the treatment does not need to be reported. Dr. Lebow emphasized that this allows Doctors to report their treatment without fear of losing a license and allows the Doctor to continue patient treatment as long as guidelines are followed. Ms. Schwartz shared that a discussion during the January Public meeting portrayed a similar post in the NPDB newsletter referring to what to report and what not report. Although the title differs, the principle was the same. Ms. Schwartz emphasized the importance of helping people rehabilitate while not penalizing them. Dr. Lebow will share the information regarding Safe Harbor Provisions with Ms. Schwartz for review.

F. ADJOURNMENT

With no further business, the Public Session of the Board meeting concluded at 1:45 PM.

Respectfully submitted by Eva Schwartz, Executive Director, Signature and date__

and Elizabeth Kohlhepp, Deputy Executive Director, Signature and date__

Signature by Frona Kroopnick, Board Secretary/Treasurer:__

AMENDMENT TO HB 581

B

On page 2, in line 8, strike “SEPTEMBER” and substitute “OCTOBER”.

On page 3, in line 2, strike “REVIEW AN APPLICATION FOR INITIAL COMPLETION” and substitute “DETERMINE IF AN APPLICATION IS COMPLETE”; in lines 3 and 4, strike “FOR A COMPLETE APPLICATION” and substitute “TO ISSUE, WAIVE, OR DENY THE PERMIT, LICENSE, OR CERTIFICATE”; in line 18, after “(D)” insert “ON OR BEFORE DECEMBER 1, 2024, EACH DEPARTMENT OR INDEPENDENT UNIT SHALL SUBMIT A PRELIMINARY REPORT ON THE REQUIREMENTS ON EACH CATALOG UNDER SUBSECTION (B) AND (C) OF THIS SECTION.”

_____(E);

and in line 18, strike “DECEMBER 1, 2024” and substitute “OCTOBER 1, 2025”.

On page 5, in line 1, after (11) insert “THE SECRETARY OF INFORMATION TECHNOLOGY, OR THE SECRETARY’S DESIGNEE;”

(12);

in line 2, strike “(12)” and substitute “(13)”; and in line 2, strike “TWO” and substitute “THREE”.

HOUSE BILL 581

P1

4lr4609
CF SB 472

By: **The Speaker (By Request – Administration) and Delegates Allen, Amprey, Anderton, Bagnall, Bhandari, Boaf, Bouchat, Boyce, Buckel, Conaway, Crutchfield, Davis, Ebersole, Edelson, Fennell, Foley, Forbes, Fraser-Hidalgo, Grossman, Guyton, Guzzone, Harris, Harrison, Henson, Hill, Hornberger, Jackson, A. Johnson, S. Johnson, Kaiser, Kaufman, J. Long, Lopez, Love, Munoz, Pasteur, Patterson, Phillips, Pruski, Qi, Roberson, Roberts, Rose, Ruff, Ruth, Simmons, Simpson, Solomon, Spiegel, Stewart, Taveras, Taylor, Toles, Tomlinson, Turner, Watson, Williams, and Ziegler**

Introduced and read first time: January 24, 2024
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Permits, Licenses, and Certificates – Processing**
3 **(Transparent Government Act of 2024)**

4 FOR the purpose of requiring each principal department and independent unit to create a
5 certain catalog of information relating to permits, licenses, and certificates issued by
6 the department or independent unit and submit the catalog to the Governor on or
7 before a certain date; requiring each principal department and independent unit to
8 post certain information relating to permits, licenses, and certificates on the website
9 of the department or independent unit on or before a certain date; establishing the
10 Government Efficiency Commission; and generally relating to the processing of State
11 permits, licenses, and certificates.

12 BY adding to
13 Article – State Government
14 Section 8–506; and 9–3801 and 9–3802 to be under the new subtitle “Subtitle 38.
15 Government Efficiency Commission”
16 Annotated Code of Maryland
17 (2021 Replacement Volume and 2023 Supplement)

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

20 **Article – State Government**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 **8-506.**

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) "DEPARTMENT" MEANS A PRINCIPAL DEPARTMENT
5 ESTABLISHED UNDER § 8-201 OF THIS TITLE.

6 (3) "INDEPENDENT UNIT" MEANS A UNIT IN THE EXECUTIVE BRANCH
7 OF STATE GOVERNMENT THAT IS NOT A DEPARTMENT.

8 (B) ON OR BEFORE SEPTEMBER 1, 2024, EACH DEPARTMENT AND
9 INDEPENDENT UNIT SHALL:

10 (1) CREATE A CATALOG OF EACH TYPE OF PERMIT, LICENSE, OR
11 CERTIFICATE THAT IT ISSUES; AND

12 (2) SUBMIT THE CATALOG REQUIRED UNDER ITEM (1) OF THIS
13 SUBSECTION TO THE GOVERNOR.

14 (C) A CATALOG CREATED UNDER SUBSECTION (B) OF THIS SECTION SHALL
15 INCLUDE:

16 (1) A DESCRIPTION OF EACH PERMIT, LICENSE, OR CERTIFICATE;

17 (2) THE TERM FOR WHICH EACH ISSUED PERMIT, LICENSE, OR
18 CERTIFICATE IS VALID;

19 (3) THE STATUTORY AND REGULATORY AUTHORITY THAT:

20 (I) AUTHORIZES OR REQUIRES THE DEPARTMENT OR
21 INDEPENDENT UNIT TO ISSUE THE PERMIT, LICENSE, OR CERTIFICATE; AND

22 (II) ESTABLISHES A TIMELINE WITHIN WHICH A DEPARTMENT
23 OR INDEPENDENT UNIT MUST PROCESS AND ISSUE THE PERMIT, LICENSE, OR
24 CERTIFICATE, IF ANY;

25 (4) THE METHOD AND PROCESS USED BY THE DEPARTMENT OR
26 INDEPENDENT UNIT TO ACCEPT APPLICATIONS FOR EACH PERMIT, LICENSE, OR
27 CERTIFICATE, INCLUDING A LIST OF PRIOR SIGNIFICANT UPDATES TO THE METHOD
28 AND PROCESS;

(5) AN ESTIMATE OF THE LENGTH OF TIME TO:

(I) REVIEW AN APPLICATION FOR INITIAL COMPLETION; AND

(II) MAKE A FINAL DETERMINATION FOR A COMPLETED APPLICATION;

(6) THE APPLICATION FEE CHARGED FOR EACH PERMIT, LICENSE, OR CERTIFICATE AND HOW THE REVENUE COLLECTED FROM APPLICATION FEES IS ALLOCATED;

(7) ANY STATUTORY OR REGULATORY AUTHORITY THAT MAY IMPACT AN APPLICANT'S ABILITY TO RECEIVE A PERMIT, LICENSE, OR CERTIFICATE BASED ON THE CRIMINAL HISTORY OF THE APPLICANT;

(8) AN ANALYSIS AND ANY RECOMMENDATIONS BY THE DEPARTMENT OR INDEPENDENT UNIT ON THE APPROPRIATE LENGTH OF TIME TO PROMPTLY PROCESS COMPLETED APPLICATIONS FOR EACH PERMIT, LICENSE, OR CERTIFICATE AND FACTORS IMPEDING THE TIMELY PROCESSING OF EACH PERMIT, LICENSE, OR CERTIFICATE; AND

(9) STATUTORY OR REGULATORY CHANGES AND RESOURCES THAT COULD EXPEDITE THE PROCESSING TIMELINE.

(D) ON OR BEFORE DECEMBER 1, 2024, AND EACH YEAR THEREAFTER, EACH DEPARTMENT AND INDEPENDENT UNIT SHALL POST ON ITS WEBSITE A DESCRIPTION OF THE APPLICATION PROCESS FOR EACH PERMIT, LICENSE, OR CERTIFICATE IT ISSUES, INCLUDING:

(1) ANY UPDATES TO THE APPLICATION PROCESS IN THE PRECEDING 12-MONTH PERIOD; AND

(2) THE TIME TO PROCESS EACH APPLICATION TYPE.

SUBTITLE 38. GOVERNMENT EFFICIENCY COMMISSION.

9-3801.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "COMMISSION" MEANS THE GOVERNMENT EFFICIENCY COMMISSION.

1 (C) “DEPARTMENT” HAS THE MEANING STATED IN § 8-506 OF THIS
2 ARTICLE.

3 (D) “INDEPENDENT UNIT” HAS THE MEANING STATED IN § 8-506 OF THIS
4 ARTICLE.

5 9-3802.

6 (A) (1) THERE IS A GOVERNMENT EFFICIENCY COMMISSION.

7 (2) THE PURPOSE OF THE COMMISSION IS TO ENHANCE
8 GOVERNMENT EFFICIENCY AND ECONOMIC COMPETITIVENESS BY MONITORING
9 EFFICIENCY IN THE PROCESSING OF PERMITS, LICENSES, AND CERTIFICATES.

10 (B) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:

11 (1) ONE MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT OF
12 THE SENATE;

13 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE
14 SPEAKER OF THE HOUSE;

15 (3) THE SECRETARY OF PLANNING, OR THE SECRETARY’S DESIGNEE;

16 (4) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT,
17 OR THE SECRETARY’S DESIGNEE;

18 (5) THE SECRETARY OF THE ENVIRONMENT, OR THE SECRETARY’S
19 DESIGNEE;

20 (6) THE DIRECTOR OF THE MARYLAND ENERGY ADMINISTRATION,
21 OR THE DIRECTOR’S DESIGNEE;

22 (7) THE SECRETARY OF COMMERCE, OR THE SECRETARY’S
23 DESIGNEE;

24 (8) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY’S
25 DESIGNEE;

26 (9) THE SECRETARY OF LABOR, OR THE SECRETARY’S DESIGNEE;

27 (10) THE SECRETARY OF HEALTH, OR THE SECRETARY’S DESIGNEE;

1 (11) THE CHIEF PERFORMANCE OFFICER; AND

2 (12) TWO REPRESENTATIVES OF THE STATE'S BUSINESS COMMUNITY,
3 APPOINTED BY THE GOVERNOR.

4 (C) THE GOVERNOR SHALL DESIGNATE THE CHAIR OF THE COMMISSION.

5 (D) THE OFFICE OF THE GOVERNOR SHALL PROVIDE STAFF FOR THE
6 COMMISSION.

7 (E) A MEMBER OF THE COMMISSION:

8 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
9 COMMISSION; BUT

10 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
11 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

12 (F) THE COMMISSION SHALL:

13 (1) COMPILE AND INDEX THE REPORTS SUBMITTED UNDER § 8-506
14 OF THIS ARTICLE;

15 (2) REVIEW STATUTORY AND REGULATORY PROVISIONS THAT MAY
16 IMPACT THE EFFICIENCY OF PROCESSING PERMITS, LICENSES, AND CERTIFICATES;
17 AND

18 (3) MAKE RECOMMENDATIONS ON:

19 (I) ANY FACTORS IMPEDING PROMPT AND FAIR PROCESSING
20 OF PERMITS, LICENSES, AND CERTIFICATES;

21 (II) STRATEGIES FOR HOW DEPARTMENTS AND INDEPENDENT
22 UNITS CAN IMPROVE PERMITTING AND LICENSING EFFICIENCY; AND

23 (III) REMOVING BARRIERS THAT HINDER INDIVIDUALS AND
24 BUSINESSES FROM RECEIVING PERMITS, LICENSES, AND CERTIFICATES.

25 (G) ON OR BEFORE DECEMBER 1, 2024, AND EACH YEAR THEREAFTER, THE
26 COMMISSION SHALL SUBMIT A REPORT ON ITS FINDINGS AND RECOMMENDATIONS
27 TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THIS ARTICLE, THE
28 GENERAL ASSEMBLY.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2024.



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Good Afternoon-

I need to know if we are able to bill for Varithena Procedures.

I wanted to ensure compliance for Podiatrists to perform venous procedures. I have gone to the link to review "Scope of Practice" and do not see anything that relates to these procedures. I myself will not be performing the procedure. A certified tech from the company will be doing the procedure. I understand that this is commonly done in Florida in Podiatrist offices for the treatment of venous insufficiency.

The codes are: 36465 and 36466. Thank you for your input in this matter.

Regards,

Dr.

SENATE BILL 1072

D

P1

4lr1597
CF HB 1201

By: **Senator McKay**

Introduced and read first time: February 2, 2024

Assigned to: Education, Energy, and the Environment and Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Occupational and Professional Licensing – Military Training and Military**
3 **Spouses**

4 FOR the purpose of requiring an occupational licensing board to issue a license, certificate,
5 permit, or registration to an applicant who is military trained or who is a military
6 spouse if the applicant meets certain requirements; requiring an occupational
7 licensing board to consider certain types of experience for a certain calculation;
8 authorizing an occupational licensing board to issue a temporary license, certificate,
9 permit, or registration under certain circumstances; and generally relating to
10 occupational and professional licenses, certificates, permits, and registrations for
11 military-trained individuals and military spouses.

12 BY adding to
13 Article – State Government
14 Section 10–1701 and 10–1702 to be under the new subtitle “Subtitle 17. Occupational
15 and Professional Licensing for Military Training and Military Spouses”
16 Annotated Code of Maryland
17 (2021 Replacement Volume and 2023 Supplement)

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

20 **Article – State Government**

21 **SUBTITLE 17. OCCUPATIONAL AND PROFESSIONAL LICENSING FOR MILITARY**
22 **TRAINING AND MILITARY SPOUSES.**

23 **10–1701.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (B) "MILITARY SPOUSE" MEANS AN INDIVIDUAL WHOSE SPOUSE IS A
4 MEMBER OF THE UNITED STATES ARMED FORCES.

5 (C) (1) "OCCUPATIONAL LICENSING BOARD" MEANS A UNIT
6 RESPONSIBLE FOR ISSUING AN OCCUPATIONAL OR PROFESSIONAL LICENSE,
7 CERTIFICATE, PERMIT, OR REGISTRATION THAT IS REQUIRED FOR AN INDIVIDUAL
8 TO PRACTICE AN OCCUPATION OR A PROFESSION IN THE STATE, INCLUDING A UNIT
9 AUTHORIZED UNDER THE AGRICULTURE ARTICLE, THE BUSINESS REGULATION
10 ARTICLE, THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE, THE
11 ENVIRONMENT ARTICLE, THE HEALTH OCCUPATIONS ARTICLE, THE PUBLIC
12 SAFETY ARTICLE, OR THE TRANSPORTATION ARTICLE.

13 (2) "OCCUPATIONAL LICENSING BOARD" DOES NOT INCLUDE THE
14 STATE BOARD OF LAW EXAMINERS, AUTHORIZED UNDER TITLE 10 OF THE
15 BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

16 10-1702.

17 (A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN OCCUPATIONAL
18 LICENSING BOARD SHALL ISSUE A LICENSE, CERTIFICATE, PERMIT, OR
19 REGISTRATION, AS APPROPRIATE, TO AN APPLICANT TO PRACTICE AN OCCUPATION
20 OR A PROFESSION IN THE STATE IF THE APPLICANT:

21 (1) (I) HAS COMPLETED A MILITARY PROGRAM OF TRAINING, BEEN
22 AWARDED A MILITARY OCCUPATIONAL SPECIALTY, AND PERFORMED THAT
23 SPECIALTY AT A LEVEL THAT IS SUBSTANTIALLY EQUIVALENT TO OR EXCEEDS THE
24 REQUIREMENTS OF THE OCCUPATIONAL LICENSING BOARD TO WHICH THE
25 APPLICANT HAS APPLIED;

26 (II) HAS ENGAGED IN THE ACTIVE PRACTICE OF THE
27 OCCUPATION OR PROFESSION FOR WHICH THE INDIVIDUAL IS SEEKING A LICENSE,
28 CERTIFICATE, PERMIT, OR REGISTRATION FOR AT LEAST 2 OF THE 5 YEARS
29 IMMEDIATELY PRECEDING THE DATE OF THE APPLICATION;

30 (III) HAS NOT COMMITTED ANY ACT IN ANY JURISDICTION THAT
31 WOULD HAVE CONSTITUTED GROUNDS FOR DENIAL, SUSPENSION, OR REVOCATION
32 OF THE LICENSE, CERTIFICATE, PERMIT, OR REGISTRATION IN THE STATE AT THE
33 TIME THE ACT WAS COMMITTED; AND

1 (IV) PAYS ANY FEES REQUIRED BY THE OCCUPATIONAL
2 LICENSING BOARD; OR

3 (2) (I) IS A MILITARY SPOUSE;

4 (II) HOLDS A CURRENT LICENSE, CERTIFICATE, PERMIT, OR
5 REGISTRATION FROM ANOTHER JURISDICTION AND THAT JURISDICTION'S
6 REQUIREMENTS FOR THE LICENSE, CERTIFICATE, PERMIT, OR REGISTRATION ARE
7 SUBSTANTIALLY EQUIVALENT TO OR EXCEED THE REQUIREMENTS OF THE
8 OCCUPATIONAL LICENSING BOARD TO WHICH THE APPLICANT HAS APPLIED;

9 (III) CAN DEMONSTRATE COMPETENCY IN THE OCCUPATION OR
10 PROFESSION IN A METHOD DETERMINED BY THE OCCUPATIONAL LICENSING BOARD;

11 (IV) HAS NOT COMMITTED ANY ACT IN ANY JURISDICTION THAT
12 WOULD HAVE CONSTITUTED GROUNDS FOR DENIAL, SUSPENSION, OR REVOCATION
13 OF THE LICENSE, CERTIFICATE, PERMIT, OR REGISTRATION IN THE STATE AT THE
14 TIME THE ACT WAS COMMITTED;

15 (V) IS IN GOOD STANDING WITH AND HAS NOT BEEN
16 DISCIPLINED BY THE UNIT FROM THE JURISDICTION IN WHICH THE APPLICANT
17 HOLDS A CURRENT LICENSE, CERTIFICATE, PERMIT, OR REGISTRATION; AND

18 (VI) PAYS ANY FEES REQUIRED BY THE OCCUPATIONAL
19 LICENSING BOARD.

20 (B) AN OCCUPATIONAL LICENSING BOARD SHALL CONSIDER
21 FULL-TIME AND PART-TIME EXPERIENCE, BOTH PAID AND UNPAID, WHEN
22 CALCULATING YEARS OF EXPERIENCE UNDER SUBSECTION (A)(1)(II) OF THIS
23 SECTION OR WHEN DEMONSTRATING COMPETENCY UNDER SUBSECTION (A)(2)(III)
24 OF THIS SECTION.

25 (C) (1) AN OCCUPATIONAL LICENSING BOARD MAY ISSUE A TEMPORARY
26 LICENSE, CERTIFICATE, PERMIT, OR REGISTRATION TO AN APPLICANT WHO IS
27 LICENSED, CERTIFIED, PERMITTED, OR REGISTERED IN ANOTHER JURISDICTION
28 WHILE THE APPLICANT IS IN THE PROCESS OF SATISFYING THE REQUIREMENTS OF
29 THIS SECTION IF THE OTHER REQUIREMENTS TO OBTAIN A LICENSE, CERTIFICATE,
30 PERMIT, OR REGISTRATION IN THAT JURISDICTION ARE SUBSTANTIALLY
31 EQUIVALENT TO OR EXCEED THE REQUIREMENTS OF THE OCCUPATIONAL
32 LICENSING BOARD TO WHICH THE APPLICANT HAS APPLIED.

1 **(2) AN OCCUPATIONAL LICENSING BOARD SHALL WAIVE ANY FEE**
2 **ASSOCIATED WITH A TEMPORARY LICENSE, CERTIFICATE, PERMIT, OR**
3 **REGISTRATION ISSUED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

4 **(D) AN OCCUPATIONAL LICENSING BOARD SHALL ADOPT REGULATIONS**
5 **NECESSARY TO CARRY OUT THE REQUIREMENTS OF THIS SECTION.**

6 **(E) THIS SECTION DOES NOT PROHIBIT AN APPLICANT WHO MEETS THE**
7 **REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION FROM APPLYING FOR AN**
8 **OCCUPATIONAL OR PROFESSIONAL LICENSE, CERTIFICATE, PERMIT, OR**
9 **REGISTRATION UNDER ANY OTHER PROVISION OF LAW.**

10 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
11 **October 1, 2024.**



NPDB Insights

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Is It Reportable?

A state agency responsible for licensing skilled nursing facilities suspended a facility's license after substantiating several serious quality of care complaints against the facility. Is this reportable?

Yes. State licensing and certification authorities must report adverse actions resulting from a formal proceeding, such as a revocation or suspension of a license, taken against a health care practitioner, entity, provider, or supplier.

[top](#)

State Licensure Actions vs. Government Administrative Actions

Both state licensure actions and government administrative actions are reported as adverse actions. However, there are distinct and important differences between them.

State licensure actions are taken in relation to licensure, certification, registration, or other authorization by the state to provide health care services. **Government administrative actions** are taken in relation to certification agreements or contracts for participation in government health care programs.



For Example...

If a practitioner surrenders their license or certification in lieu of a disciplinary action, it must be reported as a **state licensure action**.

For Example...

If a state licensing or certification authority is authorized by state law (e.g., a state practice act or state title act) to regulate nurse aides, and the state authority suspends a nurse aide's license after he abuses a patient, that action should be reported to the NPDB as a **state licensure action**. However, in states that do not regulate nurse aides in this way, nurse aide registry findings should be reported to the NPDB as **government administrative actions**.

Why Is It Important to Submit the Correct Type of Report?

Not all querying entities are eligible to receive all types of reports. If a report is submitted incorrectly, it could be received by an entity that is not allowed to have it, or it may not be sent to an entity that should have it. For example, a hospital may receive state licensure action reports on a physician in response to a query, but if a state licensing board incorrectly submits a state licensure action as a government administrative action, the hospital will not receive the report even though they are entitled to receive the information.

Visit the following sections of the NPDB Guidebook for more information:

- [Reporting State Licensure and Certification Actions](#)
- [Reporting Other Adjudicated Actions or Decisions](#)

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Stop Resetting Your Password in 2024: Switch to MFA Today

Multi-factor authentication, or MFA, is now available for all NPDB users. Soon MFA will be required to sign in to the NPDB. We encourage you to get a head start and begin using MFA today.

MFA is an authentication method that requires users to provide two or more verification factors to sign in to the NPDB: something you know, like a password, and something you have, like a code you receive on a mobile phone. MFA provides an additional layer of security for your NPDB account.

- MFA requires two methods of verification. This makes it more difficult for hackers to access your account.
- MFA is more convenient. You no longer need to regularly use your DBID or regularly change your password.

Information stored in the NPDB is subject to strict confidentiality provisions. As a result, the NPDB remains committed to providing our users with the highest levels of security.

MFA is quick and easy to set up. Visit our [MFA Help](#) page to get started today.

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Dear NPDB

What subject information must I include in a report?

It is important to provide accurate and complete information on the subject of a report. Identifying the subject of the report as accurately as possible helps ensure a higher-quality match when a query is performed. Make sure you include as much information as possible on your report. This includes the subject's full name, date of birth, license number(s), addresses, etc. By providing the most complete and accurate information in your report, you help to ensure the accuracy of all future query responses.

Note: If you do not have some of the requested fields, **do not guess or make up information to fill in the gaps**. Providing incorrect information can block relevant matches in query responses.

Please view these resources for more information about submitting reports:

- [How to Submit a Report](#)
- [Writing Narrative Descriptions \(Webinar\)](#)
- [Reporting Infographics](#)



- NPDB Guidebook, Chapter E: Reports

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Have a Question or Suggestion for NPDB Insights?

[Ask the NPDB!](#)

The latest updates and resources are available at <https://www.npdb.hrsa.gov>.

Previous editions of NPDB Insights are available in our archive.

Topics

[Is It Reportable?](#)

[State Licensure Actions vs.
Government Administrative Actions](#)

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