

of Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists and its licensure and examination provisions.

BY adding to

Article - Health Occupations

Section 2-205.1

Annotated Code of Maryland

(2000 Replacement Volume)

BY repealing and reenacting, with amendments,

Article - Health Occupations

Section 2-314

Annotated Code of Maryland

(2000 Replacement Volume)

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

Article - Health Occupations

2-205.1.

(A) WHILE INVESTIGATING AN ALLEGATION AGAINST A LICENSEE UNDER THIS TITLE, THE BOARD MAY REQUIRE THE LICENSEE TO SUBMIT TO AN APPROPRIATE EXAMINATION BY A HEALTH CARE PROVIDER DESIGNATED BY THE BOARD IF THE BOARD HAS REASON TO BELIEVE THAT THE LICENSEE MAY CAUSE HARM TO A PERSON AFFECTED BY THE LICENSEE'S PRACTICE OF AUDIOLOGY, PROVISION OF HEARING AID SERVICES, OR PRACTICE OF SPEECH-LANGUAGE PATHOLOGY.

(B) IN RETURN FOR THE PRIVILEGE GIVEN TO A LICENSEE TO PRACTICE AUDIOLOGY, TO PROVIDE HEARING AID SERVICES, OR TO PRACTICE SPEECH-LANGUAGE PATHOLOGY IN THE STATE, THE LICENSEE IS DEEMED TO HAVE:

(1) CONSENTED TO SUBMIT TO AN EXAMINATION UNDER THIS SECTION, IF REQUESTED BY THE BOARD IN WRITING; AND

(2) WAIVED ANY CLAIM OF PRIVILEGE AS TO THE TESTIMONY OR REPORTS OF A HEALTH CARE PROVIDER WHO EXAMINES THE LICENSEE.

(C) THE FAILURE OR REFUSAL OF THE LICENSEE TO SUBMIT TO AN EXAMINATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION IS PRIMA FACIE EVIDENCE OF THE LICENSEE'S INABILITY TO PRACTICE AUDIOLOGY, TO PROVIDE HEARING AID SERVICES, OR TO PRACTICE SPEECH-LANGUAGE PATHOLOGY COMPETENTLY, UNLESS THE BOARD FINDS THAT THE FAILURE OR REFUSAL WAS BEYOND THE CONTROL OF THE LICENSEE.

(D) THE BOARD SHALL PAY THE COST OF ANY EXAMINATION MADE UNDER THIS SECTION.