

CHAPTER 786

(House Bill 263)

AN ACT to repeal and re-enact, with amendments, Section 139 of Article 43 of the Annotated Code of Maryland (1957 Edition), title "Health," subtitle "Practitioners of Medicine," providing that certain registered graduates of dental surgery may practice anaesthesiology for medical purposes, with certain exceptions ~~and matters incident thereto~~, AND PERMITTING THE ADMINISTRATION OF ANESTHETICS FOR MEDICAL PURPOSES BY A LEGALLY QUALIFIED DENTIST EXCEPT AS A MEDICAL SPECIALTY.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 139 of Article 43 of the Annotated Code of Maryland (1957 Edition), title "Health," subtitle "Practitioners of Medicine," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

139.

Any person shall be regarded as practicing medicine within the meaning of this subtitle who shall append to his or her name the words or letters "Dr.," "Doctor," "M.D.," or any other title in connection with his name, with the intent thereby to imply that he or she is engaged in the art or science of healing, or in the practice of medicine in any of its branches. Any person who practices medicine or the art or science of healing shall be considered as a practitioner of medicine or surgery. As used herein the phrase "art or science of healing" and the phrase "practice of medicine" shall be construed to include: Operating on, professing to heal, prescribing for or otherwise diagnosing or treating any physical or mental ailment or supposed ailment of another; or for hire or gratuity or compensation, either directly or indirectly paid, undertaking by appliance operation or treatment of whatever nature, to cure, heal, diagnose or treat any bodily or mental ailment or supposed ailment of another; or for hire, gratuity or compensation, either directly or indirectly paid, by or for any patient, undertaking to treat, heal, cure, drive away or remove any physical or mental ailment; or supposed ailment of another, by mental or other process, exercised or invoked on the part of either the medical practitioner or the patient or both. Nothing herein contained shall be construed to apply to gratuitous services, nor to any resident or assistant resident physicians or interns or students at hospitals in the discharge of their hospital or dispensary duties, or in the office of physicians, or to any physician or surgeon from another state, territory or district in which he resides when in actual consultation with a legal practitioner of this State; or to commissioned surgeons of the United States Army, or Navy, or United States Public Service hospitals and Veterans Administration hospitals, or to opticians or masseurs, or other manual manipulators who use no other means, or to the following which are provided for in other sections of this article hereinafter indicated: Midwives, Sections 82-94; optometrists, Sections 368-386; osteopaths, Sections 467-480; chiropodists, Sections 481-494; chiropractors, Sections 499-514; physical therapists, Sections 604-614; nor shall the provisions of this subtitle apply to physicians or surgeons residing on the