

laboratory or tissue bank situated in this State or any other state which makes examinations in connection with the diagnosis and control of human disease or which procures, processes, distributes or sells human tissue unless the laboratory or tissue bank so represented or serviced shall meet or exceed the minimum standards promulgated by the State Board of Health and Mental Hygiene under and pursuant to this section, and before representing or servicing any laboratory or tissue bank not situated within this State each such person, partnership, association or corporation shall make appropriate annual application to the State Board of Health and Mental Hygiene on such terms and conditions as shall be promulgated by said Board, the application to show by satisfactory evidence that any such laboratory or tissue bank not located within this State meets or exceeds the minimum standards promulgated by said Board pursuant to this section for similar laboratories or tissue banks located and operated within the State of Maryland. The term tissue bank as used in this section shall include blood bank and the term tissue shall include blood. PHYSICIANS EXEMPT FROM LICENSING AND INSPECTION UNDER THIS SECTION SHALL NEVERTHELESS BE REQUIRED TO DEMONSTRATE SATISFACTORY PERFORMANCE IN A PROFICIENCY TESTING PROGRAM IN APPLICABLE LABORATORY PROCEDURES. THE STATE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL ESTABLISH STANDARDS AND CRITERIA FOR DEMONSTRATING SATISFACTORY PERFORMANCE IN A PROFICIENCY TESTING PROGRAM AND FOR CONDUCTING THE PROGRAMS. THE DEPARTMENT MAY ESTABLISH A SERVICE FEE FOR THOSE PERSONS PARTICIPATING IN A PROFICIENCY TESTING PROGRAM CONDUCTED BY THE DEPARTMENT. IF A PHYSICIAN FAILS TO DEMONSTRATE SATISFACTORY PERFORMANCE, THE DEPARTMENT SHALL ASSIST HIM IN ACHIEVING AN ACCEPTABLE LEVEL OF PROFICIENCY. IF A PHYSICIAN STILL FAILS TO DEMONSTRATE SATISFACTORY PERFORMANCE AFTER A REASONABLE EFFORT TO ASSIST HIM, THAT INFORMATION SHALL BE SENT TO NOTIFY THE COMMISSION ON MEDICAL DISCIPLINE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved May 21, 1973.

CHAPTER 569

(House Bill 815)

AN ACT to add new Section 375A to Article 48A of the Annotated Code of Maryland (1972 Replacement Volume), title "Insurance Code," subtitle "22. Insurance Contracts Generally," to follow immediately after Section 375 thereof; and to repeal Section 376 of Article 48A of the Code, same title and subtitle, and to enact new Section 376 in lieu thereof, to stand in the place of the section repealed; to authorize the Insurance Commissioner to hold hearings to determine if health, accident and disability insurance policies and certificates meet certain requirements in order to prevent fraud, the issuance of insurance economically unsound to the insured and to ensure that certain minimum benefits or coverage is made available to the policy or certificate holder; to authorize the Commissioner after such hearings are held, and the results thereof evaluated, to establish and promulgate certain minimum standards and requirements of such policies and certificates that must be met; to give the