

BY repealing and reenacting, with amendments,

Article 43 - Health  
 Section 54K(c)  
 Annotated Code of Maryland  
 (1971 Replacement Volume and 1978 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 43 - Health

54K.

(c) (1) Any person, partnership, association, or corporation who desires to open or maintain a medical test unit, [except a licensed physician, hospital, clinic or other agency licensed or regulated by the Department of Health and Mental Hygiene,] shall file with the Secretary an application setting forth the name and address of the owner, the types of tests performed, and any other information as the Secretary may require. The Secretary shall cause an inspection to be made and, if in compliance with the minimum standards and qualifications and upon payment of the fees authorized, he shall issue a permit to operate, which shall be conspicuously displayed by the medical test unit. A medical test unit may not offer or administer any test unless appropriate approval is received from the Secretary. The Secretary shall conduct periodic inspections to insure continuing compliance. A person, partnership, association, or corporation may not operate a medical test unit without this permit.

(2) THIS SECTION DOES NOT APPLY TO:

(I) A HEALTH CARE PRACTITIONER LICENSED TO PRACTICE A PROFESSION OR DISCIPLINE IN THE STATE WHEN PERFORMING TESTS ON THE PRACTITIONER'S OWN PATIENTS;

(II) A HOSPITAL;

(III) A PUBLIC SCHOOL OR HIGHER EDUCATION INSTITUTION INFIRMARY;

(IV) AN INDUSTRIAL INFIRMARY; OR

(V) ANY AGENCY LICENSED OR REGULATED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1979.

Approved May 14, 1979.