MARYLAND BOARD OF PHYSICIANS

Registration and Re-registration Instructions for Unlicensed Medical Practitioners (UMP)

Chief of Service - Responsibility

The Maryland Annotated Code, Health Occupations §14-302(1) allows a medical school graduate in an accredited postgraduate clinical training program to practice medicine without a license while performing the assigned duties at any office of a licensed physician, hospital, clinic or similar facility. This medical school graduate is otherwise referred to as an "Unlicensed Medical Practitioner" (UMP).

The Chief of Service of the institution providing the accredited postgraduate clinical training program, or the Chief's designee has the responsibility to ensure the proper registration of each Unlicensed Medical Practitioner with the Maryland Board of Physicians (the Board).

The institution's Chief of Service must also register an UMP who has a training program contract with an out-of-state institution, but who is on rotation in a Maryland facility. The Maryland facility must have a written training program agreement with the out-of-state institution **indicating that the rotation is part of the postgraduate training program.** In addition, the training program in the out-of-state institution should be accredited by the Accreditation Council for Graduate Medical Education.

An UMP who has been registered by the Chief of Service of a Maryland institution for the current contact year and who will be on rotation in another Maryland institution within the said contact year does not have to be registered by the Chief of Service of the second institution.

Completing the Registration Form for the Registration and Re-registration of UMPs

1. **Part A -** The UMP completes Part A.

   - **Initial or Re-registration**: UMP application: Please indicate if the application is an initial or a re-registration application.

   - **Re-registrations**: All UMP's keep the same UMP number while in training, regardless of the program, program location, or institution affiliation. Therefore, if you have previously been issued an UMP number, provide that "original UMP number" when completing the re-registration form.

   - **Current Registration Period**: This period refers to either (a) the full contact year or (b) the duration of an official rotation for which an UMP will be registered in order to practice medicine under COMAR 10.32.07. All applications must have a current contract start date and a contract end date. The Board will not register UMP applications with expired contract dates. These applications will be returned to the institution.

   - **Character and Fitness questions**- "Item 11" – all **"yes" answers must be accompanied by additional documentation as specified on the application. (See application for details).**

2. **Part B -** The Chief of Service or the Chief of Service's designee completes Part B

   - The Chief of Service or the Chief of Service's designee must be a physician currently licensed to practice in Maryland.

3. **Institutions – Forwarding the registration forms to the Board**

   - UMP applications, with the appropriate fee, must be mailed to the Board's post office box. *(P.O. Box 37217, Baltimore, MD 21297).* Sending the applications to any other address will delay the process.

   - Please send the completed application form(s) along with the required fee of $100.00 per UMP, by check or money order, payable to the Maryland Board of Physicians. The check/money order must state "UMP registration" and be accompanied by the appropriate number of applications and a complete list of each UMP that is covered by the enclosed check or money order.

   - Make sure that the fee matches the number of applications times $100.00. Otherwise, the applications without the appropriate fee will be returned to the institution. If the Board receives more money than applications, the balance will be refunded to the institution.

Registration deadline:

- Initial UMP registrations - the completed application and fee must be received no later than 30 days from the contract start date between the accredited training program and the UMP.

- Re-registration of an UMP - the completed application and fee must be received no later than 30 days from the contract start date between the accredited training program and the UMP.

- Institutions may duplicate the registration form and the regulations, which are available on the Board's website at www.mbp.state.md.us (Select Download Forms, Physicians Forms, and choose the Registration and Re-registration of Unlicensed Medical Practitioners form).

Unprofessional Conduct in the Practice of Medicine. Health Occupations Article § 14-404(a) (3), includes the failure of a physician to comply with the regulations governing the duty of the chief of service to timely register unlicensed medical practitioners under the chief's charge. (COMAR 10.32.07.04F.)

Unlicensed Medical Practitioner Registration Spreadsheet

To assist the Board in registering UMPS, in addition to the paper registration forms, please send the applicant's information in a spreadsheet to mbpmail@rcn.com using the attached format.

Use the following format:

Column	Description
A	Registration number (leave blank for initial registrations)
B	Applicant's last name
C	Applicant's first name
D	Applicant's middle initial
E	Date of applicant's birth (mm/dd/yyyy)
F	Applicant's social security number (###-##-####)
G	Applicant's sex (M or F)
H	Applicant's ethnicity (Oriental/Asian, Black, White, Hispanic, American. Indian.)
I	Applicant's medical school name
J	Applicant's date of graduation from medical school (mm/dd/yyyy)
K	Degree earned (MD, DO, MBB, PhD, etc)
L	Department/Division
M	Institution's name
N	Institution's street address
O	Institution's city
P	Institution's state
Q	Institution's zip code
R	Institution's telephone number
S	**Institution's facility code as issued by MBP (this is not asked for on the application)**
T	Contract start date
U	Contract end date
V	Section 11 (Y or N)
W	ACGME number
X	Chief of Service or Designee's Name
Y	Chief of Service's License Number
Z	Chief of Service's phone number
AA	Program (area of concentration)

Note: The Board cannot register or re-register an individual as an UMP unless both the completed application and payment have been received by the bank, reviewed at the Board, and entered in the Board's system.

MARYLAND BOARD OF PHYSICIANS

P.O. Box 37217
Baltimore, Maryland 21297
(410)764-4777

FOR BANK USE ONLY

DATE:_____/_____/ 200___

CHECK NUMBER:_____

AMT PAID: $ _____

NAME CODE:_____APPID: 33

For Board use only

Date registered:_____

UMP number: P __ __ __ __ __

UNLICENSED MEDICAL PRACTITIONER APPLICATION

PART A: Circle one: Initial Registration; Re-registration UMP Number P_____

1) **Last name and generational indicator (Jr., III, etc.)**

First name and Middle Initial

2) **Date of Birth:** (month) (day) (year)

3) **Social Security Number:**

4) **Gender: F** or **M (circle one)**

5) **Race: (circle one)** White Black Native American Oriental/Asian Hispanic Other

6) **Medical Degree Received From:** _____ **Date of Graduation:**

7) **Have you ever been licensed by a medical board? (circle one)**

Maryland **Y N** If yes, list license number_____

Other **Y N** If yes, list state(s) and license number_____

8) **Degree:** **(MD, DO)**

9) **Local Address of Accredited Training Program: (This is your address of record with the Board.)**

Department:

Name of Maryland Institution:

Address:

City/County **State:** **Zip Code Plus 4**

Daytime Phone: -

10) **Current Contract Year of Registration: This should not precede the starting date of your current contract year.**

From:_____/_____/_____ To:_____/_____/_____

11) **Answer the following questions. If you have had any legal actions taken against you, provide a complete explanation and supporting documentation such as copies of all complaints, malpractice claims, adverse or disciplinary actions, arrest pleadings, judgements or final orders. Sign and date all pages submitted.**

Yes	No		
☐	☐	**a.**	Do you have a physical or mental condition that could impair your ability to practice medicine or that would cause reasonable questions to be raised about your physical, mental, or professional competency including drug and alcohol abuse?
☐	☐	**b.**	Has any licensing or disciplinary board of any jurisdiction or an entity of the armed services ever denied your application for licensure, registration, certification or limited licensure, reinstatement or renewal, or taken any action against your license, registration, certification or limited licensure, including but not limited to reprimand, suspension, revocation, a fine, or nonjudicial punishment?

Yes	No		
☐	☐	**c.**	Have you ever surrendered or allowed your medical or any other healthcare license, registration, certification, or limited license to lapse, or have you ever withdrawn an application for any of the above, while you were under investigation by any licensing or disciplinary board of any jurisdiction or an entity of the armed services?
☐	☐	**d.**	Have any complaints, investigations, or charges ever been brought against you or are any currently pending in any jurisdiction by any licensing or disciplinary board, or an entity of the armed services?
☐	☐	**e.**	Have you pled guilty, nolo contendere, been convicted of, received probation before judgement or other diversionary disposition for any criminal act?
☐	☐	**f.**	Have you committed an offense involving alcohol or controlled dangerous substances to which you pled guilty or nolo contendere or for which you were convicted or received probation before judgement? Such offenses include, but are not limited to, driving while under the influence of alcohol and/or controlled dangerous substances.
☐	☐	**g.**	Excluding minor traffic violations, are you currently under arrest or released on bond, or are there any current or pending charges against you in any court of law?
☐	☐	**h.**	Has a malpractice claim or legal action for damages been filed, settled or awarded against you in any jurisdiction?
☐	☐	**i.**	Has any hospital, HMO, or other related healthcare institution, or military entity denied your privileges, denied any application for privileges, failed to renew your privileges, or limited, restricted, suspended or revoked your privileges for any reason except for medical record tardiness or non-payment of staff dues?
☐	☐	**j.**	Has your employment by any hospital, HMO, other healthcare institution, or military entity been terminated for any disciplinary reasons?
☐	☐	**k.**	Have you ever voluntarily resigned from any hospital, HMO, healthcare institution, or military entity while under investigation by that institution for disciplinary reasons?
☐	☐	**l.**	Has any postgraduate residency or fellowship training program ever denied your application, failed to renew your contract, or terminated any contract or appointment for any disciplinary reasons or while you were under investigation for any disciplinary reasons?
☐	☐	**m.**	Have you voluntarily terminated any postgraduate residency training program or fellowship contract or appointment while under investigation by that program or related institution for any disciplinary reasons?
☐	☐	**n.**	Have you been suspended, placed on probation, formally reprimanded or asked to resign while in a postgraduate residency training program or fellowship?

12) **Affirmation:** I have read COMAR 10.32.07 and will comply with the regulations. I affirm that the information I have given in this application, including that given in response to questions in Item 11, is true and correct to the best of my knowledge and belief.

Signature:_____Date:_____

PART B: FOR COMPLETION BY THE MARYLAND INSTITUTION CHIEF OF SERVICE OR DESIGNEE

13) Is the applicant in an ACGME accredited program? ☐ **Yes** ☐ **No** ACGME Accreditation Number_____

14) Name of Maryland Hospital, Maryland Medical School, or Maryland Facility: _____

Medical Staff Coordinator:_____ **Phone #:**_____

15) **Attestation:** I attest that I have read COMAR 10.32.07 and will notify the Maryland Board of Physicians of any termination of a contract other than by natural expiration, and the reasons for the termination.

Signature:_____ Title:_____ Date:_____
(Chief of Service or Designee)

Name in Print:_____

Phone #:_____ Maryland License Number: ☐☐☐☐☐☐☐☐

COMAR 10.32.07 (3/27/07)

.01 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Accredited training program" means a postgraduate clinical medical education program which is:

(a) Certified by the:

(i) Accreditation Council for Graduate Medical Education (ACGME) or its successor, or

(ii) American Osteopathic Association (AOA) or its successor;

(b) A postgraduate clinical medical education program that meets all of the following criteria:

(i) Is in a specialty or subspecialty area, or both, that is not being accredited by the ACGME but meets all the requirements for accreditation of the Accreditation Council for Graduate Medical Education,

(ii) Is directed by a physician who is actively licensed to practice medicine in Maryland,

(iii) Is concurrently offered with ACGME-accredited programs, and

(iv) Is taught at a hospital that is accredited by the Joint Commission on Accreditation of Health Care Organizations; or

(c) The equivalent of §B(1)(a) of this regulation as determined by the Board of Physicians.

(2) "ACGME" means the Accreditation Council for Graduate Medical Education.

(3) "Affiliation" means the relationship, expressed in writing, as established between a hospital, hospital department, clinic, similar facility, or office of a physician, and the student's medical school for the express purpose of providing clinical training to the medical student.

(4) "Board" means the Board of Physicians.

(5) "Chief of service" means the licensed physician responsible for the proper registration of all postgraduate unlicensed medical practitioners.

(6) "Clinical clerkship" means a medical training program for medical school students in which the student may observe or assist in the management of patients under direct supervision of a physician or assigned resident.

(7) "Foreign medical school" means any medical school located outside of the United States, Canada, or Puerto Rico.

(8) "LCME" means the Liaison Committee on Medical Education, an organization that accredits programs in medical education leading to the M.D. degree in the United States and territories and, in cooperation with the Committee on Accreditation of Canadian Medical Schools, in Canada.

(9) "Postgraduate training program" means a clinical medical training program for medical school graduates including, but not limited to, internships, residencies, and fellowships.

(10) "Unlicensed medical practitioner" means:

(a) A medical school graduate practicing medicine in a postgraduate training program who is not licensed to practice medicine in this State; or

(b) A medical school student practicing medicine in a clinical clerkship in this State.

10.32.07.02

.02 Clinical Clerkships.

A. A medical student may engage in a clinical clerkship training program in Maryland if:

(1) The medical student participates only in:

(a) An accredited training program which has an affiliation, expressed in writing, with the student's medical school for the express purpose of providing clinical training to the medical student, if at least one department in the hospital has a formal affiliation with an LCME-accredited medical school, or

(b) A hospital, hospital department, clinic, or similar facility that is affiliated with an LCME-accredited medical school, which may include training in the office of a physician affiliated, by faculty appointment or other written agreement, with the accredited medical school for the purpose of teaching the medical student;

(2) All medical students of the same educational level engaged in clinical clerkships at that physician's office, hospital, hospital department, clinic or similar facility train under the same conditions, with the same privileges and limitations; and

(3) The physician's office, hospital, hospital department, clinic or similar facility will cease to train medical students if the American medical school with which it is affiliated is no longer accredited by the LCME, or if the postgraduate training program is no longer ACGME-accredited.

B. A medical student practicing medicine outside the scope of the provisions of §A of this regulation is considered to be practicing medicine beyond the scope of Health Occupations Article, §14-302, Annotated Code of Maryland.

10.32.07.03

.03 Postgraduate Programs.

An unlicensed medical school graduate may practice medicine only in an accredited training program, and only under a written training program contract with the providing institution.

10.32.07.04

.04 Registration.

A. The chief of service of the institution providing the postgraduate clinical training program, or the chief's designee, shall register with the Board each unlicensed medical school graduate within 30 days of the effective date of the training program contract between the institution and the unlicensed medical school graduate.

B. Registration shall be on a form supplied by the Board, which may include for the unlicensed medical school graduate applicant:

(1) Name of the applicant;

(2) Local address;

(3) Date of birth;

(4) Social Security number which the Board shall use only for evaluation and identification of applicants and licensees but may not disclose in any other context;

(5) Character and fitness questions;

(6) Name and address of the medical school attended;

(7) Date of graduation from medical school;

(8) Name and address of the institution and department directly responsible for the postgraduate training program;

(9) Name and address of the chief of service and supervisor of the postgraduate training program; and

(10) Beginning and ending dates of the contract.

C. Registration shall remain valid for the term of the contract, as stated on the registration form.

D. Reregistration by the chief of service of the institution acting on behalf of the unlicensed medical school graduate is required for each renewal or extension of the postgraduate training program contract.

E. The chief of service of the institution providing the postgraduate training program shall notify the Board, within 30 days, and any termination of a contract, other than by natural expiration, and of the reasons for the termination.

F. Unprofessional Conduct in the Practice of Medicine. Health Occupations Article, §14-404(a)(3), Annotated Code of Maryland, includes the failure of a physician to comply with the regulations governing the duty of the chief of service to timely register unlicensed medical practitioners under the chief's charge.

10.32.07.05

.05 Exemption for Practitioners in Federal Programs.

An unlicensed medical school graduate in a postgraduate training program under the jurisdiction of the federal government is exempt from these regulations while performing duties incident to that training program

10.32.07.06

.06 Fee.

The Board shall establish a fee for registration and reregistration to be paid by the unlicensed medical school graduate but collected and forwarded by the institution providing the postgraduate training program with the registration form.

10.32.07.07

.07 Prohibited Conduct, Hearings, and Appeals.

A. The Board or its designee shall investigate all complaints alleging prohibited conduct and other information obtained regarding an unlicensed medical practitioner, according to the Board's procedures.

B. For any of the causes constituting a ground for discipline, subject to the hearing provisions of Health Occupations Article, §14-405, Annotated Code of Maryland, on the affirmative vote of a majority of its fully authorized membership, the Board may:

(1) Reprimand an unlicensed medical practitioner;

(2) Place an unlicensed medical practitioner on probation;

(3) Suspend or revoke the registration of an unlicensed medical practitioner; or

(4) Take other action against the individual including, but not limited to:

(a) Limiting the privilege to practice,

(b) Requiring further education, or

(c) Admonishing the individual.

C. The following causes constitute grounds for discipline:

(1) Physical, mental, or professional incompetence;

(2) An act or omission that resulted in disciplinary action against the unlicensed medical practitioner in connection with the postgraduate training program;

(3) Physical or mental illness that adversely affects the ability to practice in the postgraduate training program;

(4) Immoral or unprofessional conduct of the unlicensed medical practitioner in the practice of medicine;

(5) Practicing medicine beyond the authorized scope of practice;

(6) Abandonment of a patient;

(7) Practicing medicine while:

(a) Under the influence of alcohol, or

(b) Using any narcotic or controlled dangerous substance as defined in Criminal Law Article, Annotated Code of Maryland, or other drug that is in excess of therapeutic amounts or without valid medical indication;

(8) Willfully making or filing false reports or records in the practice of medicine;

(9) Willfully omitting to file or record, or willfully impeding or obstructing the filing or recording, or inducing another person to omit to file or record, medical reports required by law;

(10) Willfully misrepresenting treatment;

(11) Offering, undertaking, or agreeing to cure or treat disease by a secret method, procedure, treatment, or medicine;

(12) Failing to furnish details of a patient's care to physicians, hospitals, or the Board upon proper request;

(13) An act or omission which has resulted in disciplinary action against the unlicensed medical practitioner by the licensing or disciplinary authority, court, or sponsoring institution in another state, territory, or country for an act that would be grounds for disciplinary action under this regulation;

(14) Fraud or deceit in gaining admission to the postgraduate training program;

(15) Promotion of the sale of drugs, devices, appliances, or goods provided for a patient in such a manner as to exploit the patient for financial gain of the unlicensed medical practitioner;

(16) Division of fees, or agreeing to split or divide fees received for professional services, with any person for bringing or referring a patient;

(17) Agreeing with clinical or bioanalytical laboratories to make payments to these laboratories for an individual test or a test series for a patient, unless the unlicensed medical practitioner discloses on the bills to the patient or third-party payer the name of the laboratory for the individual test or test series and the amount of the procurement or processing charge, if any, for each specimen taken;

(18) Grossly overutilizing health care services;

(19) Willfully submitting false statements to collect fees for services not rendered;

(20) Violation of any regulation promulgated by the Board regarding the practice of medicine by unlicensed medical practitioners;

(21) Knowingly failing to report suspected child abuse in violation of Family Law Article, §5-704, Annotated Code of Maryland;

(22) Except in an emergency life-threatening situation when it is either infeasible or impracticable, failing to comply with the Centers for Disease Control's guidelines on universal precautions;

(23) Failing to cooperate with a lawful investigation conducted by the Board; and

(24) Refusing, withholding from, denying, or discriminating against an individual with regard to the provision of professional services for which the unlicensed medical practitioner is registered and qualified to render because the individual is HIV positive.

D. Crimes Involving Moral Turpitude.

(1) The Board shall order the suspension of the registration of an unlicensed medical practitioner if the practitioner is convicted of or pleads guilty or nolo contendere with respect to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.

(2) After completion of the appellate process, if the conviction has not been reversed or the plea has not been set aside with respect to a crime involving moral turpitude, the Board shall order the revocation of the unlicensed medical practitioner's registration subject to the statutory mandate of Health Occupations Article, §14-404(b)(2), Annotated Code of Maryland.