



Board of Physicians

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Damean W.E. Freas, D.O., Chair

End of the Maryland State of Emergency – Frequently Asked Questions

On June 15, 2021, the Governor issued [Executive Order Number 21-06-15-01](#), which set dates for the termination of previous COVID-19-related Executive Orders and the end of the Maryland state of emergency. What follows are frequently asked questions relating to the end of the Maryland state of emergency and what it means for Maryland practitioners regulated by the Board of Physicians.

Q: When do I have to renew my license?

A: Pursuant to [Executive Order Number 21-03-09-03](#), if your license expired prior to June 30, 2021, you must renew it on or before June 30, 2021.

Q: I am an out-of-state health care practitioner without an active Maryland license. When do I have to cease practice in Maryland?

A: August 15, 2021. Out-of-state health care practitioners with a valid, unexpired license issued by another State received temporary authorization to engage in the activities under their license at a Maryland health care facility in order to meet staffing ratios or otherwise ensure the continued and safe delivery of health care services. This authorization expires on August 15, 2021.

Q: I am a health care practitioner with an inactive¹ Maryland license who temporarily resumed practice during COVID-19. When do I have to cease practice in Maryland?

A: August 15, 2021. Health care practitioners with Maryland licenses that have been placed on inactive status and who were deemed competent by qualified supervisory personnel received temporary authorization to practice in a Maryland health care facility. This authorization expires on August 15, 2021.

Q: May I perform duties beyond the scope of my license in order to meet staffing ratios or otherwise ensure continued safe delivery of health care services?

A: Under the Executive Order, health care practitioners are temporarily permitted to engage in activities not authorized by their license at a Maryland health care facility in order to meet staffing ratios or otherwise ensure the continued and safe delivery of health care services if qualified supervisory personnel reasonably conclude that the health care practitioner is can competently engage in such duties and provide reasonable supervision.

¹ An inactive licensee is an individual who has applied for and has been placed on inactive status pursuant to Health Occupations Article § 14-320.

This authorization expires on August 15, 2021.

Q: How many physician assistants may a primary supervising physician delegate duties to?

A: Pursuant to Health Occ. § 15-302(h), a primary supervising physician may not delegate medical acts under a delegation agreement to more than four physician assistants at any one time, except in a hospital setting. This limitation was temporarily suspended during the Maryland state of emergency, but goes back into effect on August 15, 2021.

Q: When can a physician assistant begin performing delegated medical acts following the submission of a delegation agreement?

A: Pursuant to Health Occ. § 15-302.1(a), if a delegation agreement does not include advanced duties or the advanced duties have been previously approved, a physician assistant may assume the duties under a delegation agreement on the date that the Board acknowledges receipt of the agreement. This requirement was temporarily suspended during the Maryland state of emergency, but goes back into effect on August 15, 2021.

Q: What additional duties may a physician assistant perform prior to approval of a delegation agreement during the state of emergency?

A: During the state of emergency, a physician assistant may perform advanced duties under a supervising physician prior to receiving notification of approval of the delegation agreement application from the Board. A physician assistant may also begin practice in areas other than his or her primary supervising physician's specialty, so long as they are being supervised by either the current or a new Maryland licensed physician. Pursuant to COMAR 10.32.03.15, the physician assistant must submit an application and required documentation to the Board within 30 days of the first performance of these duties. These authorizations expire with the termination of the state of emergency on August 15, 2021.

Q: May I practice telehealth in Maryland without a Maryland license?

A: Pursuant to COMAR 10.32.05.03, a provider of telehealth services must have a Maryland license if the individual practicing telehealth is in Maryland or the patient is in Maryland. This requirement was temporarily suspended to allow health care practitioners in adjoining states to practice telehealth to treat existing Maryland patients during the state of emergency without obtaining a Maryland license, but goes back into effect on August 15, 2021.

Q: Where can I find additional resources and guiding documents?

A: COVID-19 Pandemic: Orders and Guidance:
<https://governor.maryland.gov/covid-19-pandemic-orders-and-guidance/>

Chart Summarizing Termination Roadmap Order:
<https://governor.maryland.gov/wp-content/uploads/2021/06/6.15-COVID-Transition-Plan.docx.pdf>

Governor Hogan's COVID-19 Response:

<https://governor.maryland.gov/coronavirus/>

Maryland Unites:

<https://governor.maryland.gov/marylandunites/>

Maryland Department of Health Coronavirus website:

<https://coronavirus.maryland.gov/>

Maryland Department of Health Resources for Health Care Professionals:

<https://coronavirus.maryland.gov/pages/provider-resources>

Behavioral Health Administration:

<https://bha.health.maryland.gov/Pages/bha-covid-19.aspx>

Maryland Medicaid:

<https://mmcp.health.maryland.gov/Pages/home.aspx>

Centers for Disease Control and Prevention:

<https://www.cdc.gov/coronavirus/2019-ncov/index.html>