

CHAPTER 235

(Senate Bill #36)

AN ACT concerning

Medical Malpractice Claims - Arbitration

FOR the purpose of providing for a mandatory arbitration system for all medical malpractice claims in excess of a certain amount; providing for the creation of a Health Claims Arbitration Office under the Executive Department; providing for the selection of an arbitration panel by the parties from a list of certain qualified persons chosen by the Director of the Health Claims Arbitration Office; providing for the elimination of a specific dollar amount in pleadings with a certain exception; providing for the panel to determine liability and award damages; providing for an appeal to the Courts from the decision of the arbitrators; providing for approval of attorney fees and generally relating to claims filed with the Health Claims Arbitration Office; providing that insurers may settle claims without restriction and authorizing insurers to prepay certain costs of claimants without prejudice; and providing for a change in the statute of limitations for minors relating to medical malpractice claims.

BY adding to

Article - Courts and Judicial Proceedings
Section 3-2A01 through 3-2A09, inclusive, to be
under the new subtitle, "Subtitle 2A. Health
Care Malpractice Claims"
Annotated Code of Maryland
{1974 Volume and 1975 Supplement}

BY adding to

Article 48A - Insurance Code
Section 482A
Annotated Code of Maryland
{1972 Replacement Volume and 1975 Supplement}

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 5-109
Annotated Code of Maryland
{1974 Volume and 1975 Supplement}

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Sections 3-2A01 through 3-2A09, inclusive, to be under the new subtitle "Subtitle 2A.