

CHAPTER 17

(Senate Bill 109)

AN ACT concerning

Medical Review Committees - Immunity

FOR the purpose of providing that the State elects not to be governed by the provisions of the Health Care Quality Improvement Act of 1986 as it pertains to limitations on damages for suits brought under State law against medical review bodies and to physicians participating in professional review activities; and providing that for suits brought under State law, the State shall be governed by the Maryland Medical Practice Act.

BY adding to

Article - Health Occupations
Section 14-601.1
Annotated Code of Maryland
(1986 Replacement Volume and 1988 Supplement)

Preamble

WHEREAS, Congress enacted the Health Care Quality Improvement Act of 1986 (The Act) to provide protection from liability for damages under federal and State law to medical review bodies and to physicians participating in professional peer review activities; and

WHEREAS, The State has the option of "opting out" of the Act with respect to the application of the Act's provisions providing limitations on damages for suits brought under State law on or after October 14, 1989; and

WHEREAS, In order to opt out the State must do so by legislation; and

WHEREAS, If the State does not opt out, the damage limitation provisions of the Act will apply to suits brought under State law on or after October 14, 1989; and

WHEREAS, The Maryland Medical Practice Act provides greater immunity protection for actions brought under State law; now, therefore,