

CHAPTER 311

(House Bill 512)

AN ACT to repeal Section 42(c) of Article 43 of the Annotated Code of Maryland (1965 Replacement Volume), title "Health," subtitle "Miscellaneous Provisions," and to enact new Section 42(c) in lieu thereof, to stand in the place of the section repealed, abolishing the Council of Medical Care and replacing it with a system of review of all health services provided under Maryland's Medical Assistance Program, PROVIDING FOR A CONTINGENCY and generally relating to this system of review.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 42(c) of Article 43 of the Annotated Code of Maryland (1965 Replacement Volume), title "Health," subtitle "Miscellaneous Provisions," be and it is hereby repealed and that new Section 42(c) be and it is hereby enacted in lieu thereof, to stand in the place of the section repealed, and to read as follows:

42.

(c) The State Board of Health and Mental Hygiene shall establish, in cooperation with the various professional organizations whose members are involved in the delivery of health care services under Maryland's Medical Assistance Program, a system of review for all health care rendered. The review shall include, but not be limited to, an analysis of the quality of care and the proper utilization of the services by the patient or the provider.

There shall be no monetary liability on the part of, and no cause of action for damages shall arise against, any member or members of a duly appointed committee of such professional organizations, or duly appointed member or members of a committee of a medical staff of a licensed hospital, for any functions undertaken or performed within the scope of the system of review as established by this section, if such committee members have acted without malice. The provisions of this section do not affect the immunity of an officer or employee of a state agency.

SEC. 2. AND BE IT FURTHER ENACTED, THAT IN THE EVENT THAT A NEW DEPARTMENT OF HEALTH ADMINISTERED BY A SECRETARY OF HEALTH IS CREATED BY SUBSEQUENT LAW, BOTH THAT DEPARTMENT AND THAT SECRETARY SHALL BE SUBSTITUTED FOR ANY REFERENCE MADE WITHIN THIS ARTICLE TO THE STATE BOARD OF HEALTH AND MENTAL HYGIENE.

SEC. 3. *And be it further enacted,* That this Act shall take effect July 1, 1969.

Approved April 23, 1969.

CHAPTER 312

(House Bill 516)

AN ACT to repeal and re-enact, with amendments, Section 83 of Article 100 of the Annotated Code of Maryland (1968 Supple-