

REGARDING THE REGULATIONS CANNOT BE REACHED, THE REGULATIONS SHALL BE SUBMITTED TO THE SECRETARY OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR A FINAL DECISION.

SEC. 2. *And be it further enacted,* That this Act shall take effect ~~July 1, 1972~~ JANUARY 1, 1973.

Approved May 31, 1972.

CHAPTER 702
(House Bill 494)

AN ACT to add new Section 490A to Article 48A of the Annotated Code of Maryland (~~1971 Supplement~~ 1972 REPLACEMENT VOLUME), title "Insurance Code," and subtitle "Miscellaneous," to follow immediately after Section 490 thereof and to provide for reports by medical professional liability insurance carriers of certain claims, judgments and settlements, and relating generally thereto.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section 490A, be and is hereby added to Article 48A of the Annotated Code of Maryland (~~1971 Supplement~~ 1972 REPLACEMENT VOLUME), title, "Insurance Code," subtitle "Miscellaneous," to follow immediately after Section 490 thereof, and to read as follows:

490A. Medical Malpractice Actions.

(a) Every insurer providing professional liability insurance to a practitioner of medicine licensed in Maryland in accordance with Article 43, title "Health," subtitle "Practitioners of Medicine," shall report periodically, but in no event less than once each year, to the Commission on Medical Discipline of Maryland any claim or action for damages for personal injuries claimed to have been caused by an error, omission, or negligence in the performance of such insureds professional services, or based on a claimed performance of professional services without consent, if the claim resulted in:

- (1) a final judgment in any amount;*
- (2) a settlement in any amount;*
- (3) a final disposition not resulting in payment on behalf of the insured.*

Reports shall be filed with the commission no later than March 15th of the year following the occurrence of (1), (2) or (3) above.

(b) The reports required by subsection (a) shall contain:

- (1) the name and address of the insured;*
- (2) the insured's policy number;*
- (3) date of occurrence which created the claim;*