

MIGHT OTHERWISE RESULT FROM THAT ACTIVITY, IF THE ACTIONS WERE TAKEN IN GOOD FAITH AND ARE MADE WITHIN THE SCOPE OF THE FUNCTION OF THE COMMITTEE. THE PROVISIONS OF THIS PARAGRAPH DO NOT APPLY TO ANY CONTRACTUAL LIABILITY OF A MEDICAL REVIEW COMMITTEE OR ITS MEMBERS.]]

(D) THE PROCEEDINGS, RECORDS, AND FILES OF A MEDICAL REVIEW COMMITTEE ARE NEITHER DISCOVERABLE NOR ADMISSIBLE INTO EVIDENCE IN ANY CIVIL ACTION ARISING OUT OF MATTERS WHICH ARE BEING REVIEWED AND EVALUATED BY THE COMMITTEE. THIS IMMUNITY DOES NOT APPLY TO A CIVIL ACTION BROUGHT BY A PARTY TO THE PROCEEDINGS OF THE REVIEW COMMITTEE AND CLAIMING TO BE AGGRIEVED BY THE DECISION OF THE COMMITTEE. ALSO, THIS IMMUNITY DOES NOT EXTEND TO ANY RECORDS OR DOCUMENTS CONSIDERED BY THE COMMITTEE WHICH WOULD OTHERWISE BE SUBJECT TO DISCOVERY AND INTRODUCTION INTO EVIDENCE IN A CIVIL ACTION.

(E) A MEDICAL REVIEW COMMITTEE, INDIVIDUAL MEMBERS OF A COMMITTEE, OR ANY PERSON (1) PROVIDING INFORMATION TO, (2) PARTICIPATING IN, OR (3) CONTRIBUTING TO THE FUNCTION OF A COMMITTEE ARE IMMUNE FROM LIABILITY FOR DAMAGES FROM THEIR ACTIVITY IF THEIR ACTIONS ARE TAKEN IN GOOD FAITH AND WITHIN THE SCOPE OF THE COMMITTEES' JURISDICTION.

(F) NOTWITHSTANDING THE FOREGOING PROVISIONS OF SUBSECTIONS (D) AND (E) OF THIS SECTION, THE PROVISIONS OF SUBSECTIONS (Q) AND (R) OF ARTICLE 43, SECTION 130, SHALL APPLY WITH RESPECT TO THE COMMISSION ON MEDICAL DISCIPLINE AND TO OTHER BODIES TO THE EXTENT THAT THEY ACT IN AN INVESTIGATORY CAPACITY WITH RESPECT TO THAT COMMISSION.

SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason, the invalidity shall not affect the other provisions or any other application of this Act which can be given effect without the invalid provisions or application, and to this end all the provisions of this Act are declared to be severable.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976.

Approved May 17, 1976.