

EXCEPT AS OTHERWISE PROVIDED BY LAW, [No] NO hospital or related institution as defined in this subtitle shall be immune from liability for negligence or any other tort on the grounds that it is a charitable institution[; provided, however, that]. HOWEVER, a hospital or related institution which is a charitable institution and which is insured against such liability in an amount not less than \$100,000 shall not be liable for damages in excess of the limits of such insurance.

SECTION 2. AND BE IT FURTHER ENACTED, That new Section 556A-1 be and it is hereby added to Article 43 - Health, of the Annotated Code of Maryland (1971 Replacement Volume and 1976 Supplement) to read as follows:

Article 43 - Health

556A-1.

(A) THE FOLLOWING ARE IMMUNE FROM CIVIL LIABILITY FOR THE ACT OF COMPLYING WITH A REQUEST OR DIRECTIVE OF A POLICE OFFICER, SHERIFF, OR OFFICER OF THE SHERIFF'S DEPARTMENT, TO TAKE BLOOD SAMPLES AND MAKE TESTS OF THE BLOOD WITHOUT THE CONSENT OF THE PERSON FROM WHOM IT WAS TAKEN ~~OR CONTRARY TO THAT PERSON'S OBJECTIONS~~, IF THE BLOOD IS TAKEN FOR THE PURPOSE OF A CRIMINAL INVESTIGATION:

(1) A HOSPITAL;

(2) A PHYSICIAN; OR

(3) ANY OF THE FOLLOWING WHO TAKE THE BLOOD IN THE COURSE OF THEIR DUTIES AT A HOSPITAL:

(I) A RESIDENT OF INTERN;

(II) A REGISTERED PROFESSIONAL NURSE;

OR

(III) A HEALTH CAREER TECHNICIAN.

(B) IMMUNITY IS GRANTED BY THIS SECTION ONLY IF THE BLOOD SAMPLES ARE TAKEN ACCORDING TO ACCEPTED MEDICAL PRACTICES AND THE TESTS ARE PERFORMED IN A REASONABLE MANNER.

(C) HOWEVER, THE PROVISIONS OF THIS SECTION DO NOT GRANT IMMUNITY FOR ANY TORT COMMITTED AS A RESULT OF TAKING BLOOD IN A NEGLIGENT OR RECKLESS MANNER.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1977.