

Approved May 6, 1980.

CHAPTER 419

(House Bill 837)

AN ACT concerning

Alleged Rape and Sexual Offense Victims - Payment of
Medical Expenses

FOR the purpose of altering the present reimbursement procedure for the victims of alleged rape and sexual offenses to provide that the Department of Health and Mental Hygiene shall pay certain doctor and hospital charges; and generally relating to the payment of doctor and hospital costs for alleged rape and sexual offense victims.

BY repealing and reenacting, with amendments,

Article 43 - Health
Section 31D
Annotated Code of Maryland
(1971 Replacement Volume and 1979 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 43 - Health

31D.

(a) Whenever a doctor or a hospital provides any physical examination of any victim of an alleged rape or sexual offense for the purpose of establishing and gathering information and evidence as to the ALLEGED crime, the service shall be furnished without charge to the person and the doctor or hospital shall be entitled to be [reimbursed] PAID by the Department of Health and Mental Hygiene for the costs of providing these services.

[(b) If the person receiving the services is covered in whole or part by a policy of insurance as to the services, the person shall subrogate to the Department any right or right of action which the person may have under the insurance policy to recover the costs for payment of these services.

(c) Any provision of a policy of insurance written or entered into after July 1, 1977 which precludes or prohibits subrogation for recovery of payment for these services,
