

CHAPTER 439

(House Bill 1085)

AN ACT concerning

Health Claims Arbitration Panel

FOR the purpose of granting immunity from suit, under certain circumstances, to all members of a health care malpractice arbitration panel for all official acts made during their tenure on the panel.

BY adding to

Article - Courts and Judicial Proceedings
Section 3-2A-04(f)
Annotated Code of Maryland
(1974 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 BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows: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 - Courts and Judicial Proceedings

3-2A-04.

(F) ~~{1}~~ IN THE ABSENCE OF AN AFFIRMATIVE SHOWING OF MALICE OR BAD FAITH, EACH ARBITRATOR FROM THE TIME OF ACCEPTANCE OF APPOINTMENT HAS TOTAL IMMUNITY FROM SUIT FOR ANY ACT OR DECISION MADE DURING TENURE AND WITHIN THE SCOPE OF DESIGNATED AUTHORITY.

~~{2}--IMMUNITY-EXISTS-FROM-THE-TIME-OF--ACCEPTANCE OF-APPOINTMENT-AS-AN-ARBITRATOR-UNTIL-THE-FINAL-AND-COMplete DETERMINATION--OF--AN--ARBITRATION-AWARD, WHICH-IS-FINAL-AND COMPLETE-IF-THERE-IS-~~

~~{1}--A-FAILURE-TO-FILE-A--TIMELY--OBJECTION UNDER--§§--3-224B{1}--THROUGH--{4}--OR--3-2A-05{H}--OF--THIS ARTICLE, OR~~

~~{11}--THE--COMMENCEMENT--OF--AN--APPELLATE PROCEEDING-UNDER-§-3-2A-06-OF-THIS-ARTICLE-~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1980.

Approved May 6, 1980.
