

COMMISSION OR ANY OF ITS INVESTIGATORY BODIES DOES NOT PREVENT ITS PRODUCTION IN ANY OTHER PROCEEDING.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 130(q).

In subsection (a)(2) of this section, the first clause of the second sentence of present Art. 43, § 130(q), which states that the "Commission orders are not confidential", is deleted as unnecessary since this subsection does not provide for the confidentiality of any Commission order.

The General Assembly may wish to note that the Attorney General, in a letter to Governor Harry Hughes, dated May 5, 1980, advised that since notice is not provided in the title of the bill, enacted as Ch. 493, Acts of 1980, as to the changes in the provisions of present Art. 43, § 130(q) concerning the confidentiality of the records of the Commission on Medical Discipline, the changes cannot be given effect. However, the Commission to Revise the Annotated Code has given effect to the intent of the General Assembly to enlarge the class of protected material.

As to the provisions of present Art. 43, § 130(q) that provide for the protection of certain Commission documents against discovery and admissibility into evidence and the broad exceptions to this protection, see § 14-601 of this title and the accompanying revisor's note.

14-511. IMMUNITY FROM CIVIL LIABILITY OF PARTICIPANTS IN COMMISSION PROCEEDINGS.

(A) MEMBER OR AGENT OF COMMISSION.

A PERSON WHO ACTS WITHOUT MALICE IS NOT CIVILLY LIABLE FOR MAKING, INVESTIGATING, PROSECUTING, OR PARTICIPATING IN A HEARING, IF THAT PERSON ACTS AS A MEMBER OF THE COMMISSION, OR OTHERWISE ACTS ACTING ON AN ALLEGATION OR COMPLAINT OF A GROUND FOR COMMISSION ACTION MADE TO THE COMMISSION OR THE FACULTY THAT IS A GROUND FOR DISCIPLINARY OR OTHER ACTION. FACULTY, IF THAT PERSON IS A MEMBER OF THE COMMISSION OR A LEGALLY AUTHORIZED AGENT OF THE COMMISSION.

(B) PERSON MAKING COMPLAINT.

A PERSON WHO ACTS WITHOUT MALICE IS NOT CIVILLY LIABLE FOR MAKING AN ALLEGATION OF A GROUND FOR COMMISSION ACTION TO THE COMMISSION OR THE FACULTY.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 130(r).