

(E) CONFIDENTIALITY OF REPORTS TO THE COMMISSION.

A REPORT MADE UNDER THIS SECTION IS NOT SUBJECT TO SUBPOENA OR DISCOVERY IN ANY CIVIL PROCEEDING OTHER THAN A PROCEEDING ARISING OUT OF A HEARING AND DECISION OF THE COMMISSION UNDER THIS TITLE.

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

As to subsection (a)(2)(ii) of this section, the phrase "the nature of the formal accusation pending when the physician resigned" is added to reflect the requirement of reporting a voluntary resignation under subsection (a)(1)(ii) of this section.

In subsection (b)(1) of this section, reference to the entry of a "plea of guilty or nolo contendere" is added to conform to corresponding provisions in § 14-504(6) of this subtitle.

Regarding the application of subsection (c) of this section, the Court of Special Appeals considered present Art. 43, § 130A(a)(3) and (c) together with present Art. 43, § 130(i) -- which now appears in § 14-501(g) of this subtitle. The Court determined that the subpoena powers under Art. 43, §§ 130A(c) and 130(i) do not apply to the minutes and notes of a hospital or related institution that are taken when determining the status of the physician's staff privileges. See Cocco v. Maryland Commission on Medical Discipline, 39 Md. App. 170 (1978).

SUBTITLE 6. MISCELLANEOUS PROVISIONS.

14-601. MEDICAL REVIEW COMMITTEES.

(A) DEFINITIONS.

(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "MEDICAL REVIEW COMMITTEE" MEANS A COMMITTEE OR BOARD THAT:

(I) IS WITHIN ONE OF THE CATEGORIES DESCRIBED IN SUBSECTION (B) OF THIS SECTION; AND

(II) PERFORMS ANY OF THE FUNCTIONS LISTED IN SUBSECTION (C) OF THIS SECTION.

(3) (I) "PROVIDER OF HEALTH CARE" MEANS ANY PERSON WHO IS LICENSED BY LAW TO PROVIDE HEALTH CARE TO INDIVIDUALS.