

Subsection (b) of this section describes the persons who are not liable if the standards of subsection (a) are met.

Subsection (c) of this section describes an individual who is not covered by subsection (b) of this section -- i.e., one who is not trained in providing medical care. The standards for providing immunity for the nonprofessional who gives emergency medical care also are different -- the reasonably prudent manner standard applies to individuals covered by subsection (c) of this section.

5-310. SUPPORT FOR EMERGENCY MEDICAL SYSTEM.

AN INDIVIDUAL IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION WHILE PROVIDING SUPPORT TO THE EMERGENCY MEDICAL SYSTEM BY GIVING CARE, EQUIPMENT, FACILITIES, OR CONSULTATION, IF:

(1) THE INDIVIDUAL IS A MEMBER OR EMPLOYEE OF ANY FEDERAL, STATE, COUNTY, OR CITY GOVERNMENT, HOSPITAL, EMERGENCY MEDICAL SERVICE COUNCIL, OR AGENCY THAT OPERATES AS A NONPROFIT GROUP;

(2) THE ACT OR OMISSION IS NOT ONE OF GROSS NEGLIGENCE; AND

(3) THE SERVICE IS PROVIDED WITHOUT FEE TO THE EMERGENCY VICTIM.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 132(c).

The individuals covered in this section differ from those described in § 5-309 of this subtitle in that they are salaried personnel who provide support to a particular organization -- i.e., the emergency medical system.

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Notwithstanding [the provisions of Article 59 or the provisions of] any other PROVISION OF law, a psychologist licensed under the "Maryland Psychologists Act" and qualified as an expert witness may testify on ultimate issues, including insanity, competency to stand trial, and matters within the scope of that psychologist's special knowledge, in any case in any court or in any administrative hearing.

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