

WRITTEN REPORT OF ITS FINDINGS TO THE STATE'S ATTORNEY, THE SECRETARY, AND THE ADMINISTRATOR OF THE NURSING HOME.

(E) IMMUNITY FROM CIVIL LIABILITY.

EXCEPT FOR THE ABUSER, A PERSON WHO ACTS IN GOOD FAITH IS NOT CIVILLY LIABLE FOR:

- (1) MAKING A REPORT UNDER THIS SECTION;
- (2) PARTICIPATING IN AN INVESTIGATION ARISING OUT OF A REPORT UNDER THIS SECTION; OR
- (3) PARTICIPATING IN A JUDICIAL PROCEEDING ARISING OUT OF A REPORT UNDER THIS SECTION.

(F) NOTICE.

(1) THE DEPARTMENT SHALL PROVIDE EACH NURSING HOME WITH SIGNS THAT SET FORTH THE REPORTING REQUIREMENTS UNDER THIS SECTION.

(2) THE NURSING HOME SHALL POST THE SIGNS CONSPICUOUSLY IN THE EMPLOYEE AND PUBLIC AREAS OF THE NURSING HOME.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 565G.

In subsection (a)(2)(ii) of this section, the defined term "physician" is substituted for the ambiguous reference to a "licensed physician".

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that the phrase "except for the abuser", in subsection (e) of this section, is unnecessary since its deletion would not create any meaningful immunity. The Commission suggests that subsection (e) be clarified if the exception was intended to state that subsection (e) may not result in a grant of immunity for the abuser who makes a report or otherwise participates.

Defined terms: "Includes"/"including" § 1-101  
"Person" §§ 1-101 & 19-301 "Physician" § 1-101  
"Related institution" § 19-301

19-348. EXAMINATION FOR CERVICAL CANCER.

(A) OFFER REQUIRED.

EACH HOSPITAL SHALL OFFER TO EACH ADULT FEMALE INPATIENT OF THE HOSPITAL A PAPANICOLAOU SMEAR FOR DETECTION