

SUBTITLE 8. MARYLAND HEALTH CARE PROVIDER RATE STABILIZATION FUND.

19-801.

(A) IN THIS SUBTITLE; THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "FUND" MEANS THE MARYLAND HEALTH CARE PROVIDER RATE STABILIZATION FUND.

(C) (1) "HEALTH CARE PROVIDER" MEANS A HEALTH CARE PRACTITIONER:

(I) LICENSED UNDER TITLE 14 OF THE HEALTH OCCUPATIONS ARTICLE; OR

(II) CERTIFIED AS A NURSE MIDWIFE UNDER TITLE 8 OF THE HEALTH OCCUPATIONS ARTICLE.

(2) "HEALTH CARE PROVIDER" DOES NOT INCLUDE:

(I) A RESPIRATORY CARE PRACTITIONER;

(II) A RADIATION ONCOLOGY/THERAPY TECHNOLOGIST;

(III) A MEDICAL RADIATION TECHNOLOGIST; OR

(IV) A NUCLEAR MEDICINE TECHNOLOGIST.

~~(D) "INCREASED RATE FACTOR" MEANS:~~

~~(1) FOR MEDICAL PROFESSIONAL LIABILITY INSURANCE POLICIES SUBJECT TO RATES THAT WERE APPROVED FOR AN INITIAL EFFECTIVE DATE ON OR AFTER JANUARY 1, 2005, BUT PRIOR TO JANUARY 1, 2006, 105% OF THE APPROVED RATES IN EFFECT 1 YEAR PRIOR TO THE EFFECTIVE DATE OF THE POLICY; AND~~

~~(2) FOR POLICIES EFFECTIVE FOR THE 3 YEARS SUBSEQUENT TO THE PERIOD SET FORTH IN PARAGRAPH (1) OF THIS SUBSECTION, A PERCENTAGE, AS DETERMINED ANNUALLY BY THE COMMISSIONER, OF THE APPROVED RATES IN EFFECT 1 YEAR PRIOR TO THE EFFECTIVE DATE OF THE POLICY.~~

~~(E)~~ (D) "MEDICAL INJURY" HAS THE MEANING STATED IN § 3-2A-01 OF THE COURTS ARTICLE.

~~(F)~~ (E) "MEDICAL PROFESSIONAL LIABILITY INSURER" MEANS AN INSURER THAT:

(1) HOLDS A CERTIFICATE OF AUTHORITY ISSUED BY THE COMMISSIONER UNDER § 4-109 OR § 4-112 OF THIS ARTICLE; AND

(2) ISSUES OR DELIVERS A POLICY IN THE STATE THAT INSURES A HEALTH CARE PROVIDER AGAINST DAMAGES DUE TO MEDICAL INJURY.

~~(G)~~ (F) "SECRETARY" MEANS THE SECRETARY OF HEALTH AND MENTAL HYGIENE.