

Health Claims Arbitration Act

FOR the purpose of altering a provision of law to provide for the referral of certain issues by the Director of the Health Claims Arbitration Office to an arbitration panel chairman or to an arbitration panel; allowing the Director to rule on certain issues of law under certain circumstances; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 3-2A-05(a)
Annotated Code of Maryland
(1984 Replacement Volume and 1984 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Courts and Judicial Proceedings

3-2A-05.

(a) (1) [All] EXCEPT AS PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION, ALL issues of [fact and law raised by the claim and response shall be referred by the Director to the arbitration panel] LAW SHALL BE REFERRED BY THE DIRECTOR TO THE PANEL CHAIRMAN. ALL ISSUES OF FACT SHALL BE REFERRED BY THE DIRECTOR TO THE ARBITRATION PANEL.

(2) WHERE A PANEL CHAIRMAN HAS NOT BEEN APPOINTED, AND THE DIRECTOR IS ADMITTED TO THE MARYLAND BAR, THE DIRECTOR MAY RULE ON ALL ISSUES OF LAW ARISING PRIOR TO HEARING THAT ARE NOT DISPOSITIVE OF THE CASE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved April 9, 1985.
