

Section 10-913, 11-108, and 11-109
 Annotated Code of Maryland
 (1984 Replacement Volume and 1985 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

6-410-

{A}-{1}-IN-AN-ACTION-FOR-DAMAGES-FOR-AN-INJURY-ARISING-OUT-OF-THE-RENDERING-OF-OR-FAILURE-TO-RENDER-PROFESSIONAL-SERVICES-BY-A-HEALTH-CARE-PROVIDER, AS-DEFINED-IN-§-3-2A-01-OF-THIS-ARTICLE, A-COURT-MAY-DISMISS-THE-ACTION-IF-THE-CLAIMANT-FAILS-TO-FILE-A-CERTIFICATE-OF-A-QUALIFIED-EXPERT WITH--THE--COURT--ATTESTING--TO-DEPARTURE-FROM-STANDARDS-OF-CARE-OR-OF-INFORMED-CONSENT, AND-THAT THE-DEPARTURE-FROM-STANDARDS-OF-CARE-OR-OF-INFORMED-CONSENT-IS-THE-PROXIMATE-CAUSE-OF-THE-ALLEGED-INJURY, WITHIN--90--DAYS--FROM-THE-DATE-OF-THE-COMPLAINT.

{2}-IN-AN-ACTION-FOR-DAMAGES-FOR-AN-INJURY-ARISING-OUT-OF-THE-RENDERING-OF-OR-FAILURE-TO-RENDER-PROFESSIONAL-SERVICES-BY-A-HEALTH-CARE-PROVIDER, AS-DEFINED-IN-§-3-2A-01-OF-THIS-ARTICLE, A-COURT-MAY-ENTER-JUDGMENT-BY-DEFAULT-FOR-THE-PLAINTIFF ON-THE-ISSUE-OF-LIABILITY-IF-THE-DEFENDANT-DISPUTES-LIABILITY-AND-FAILS-TO-FILE-A-CERTIFICATE-OF-A-QUALIFIED-EXPERT ATTESTING-TO-A-COMPLIANCE-WITH-STANDARDS-OF-CARE-OR-OF-INFORMED-CONSENT, OR-THAT-THE-DEPARTURE-FROM-STANDARDS-OF-CARE-OR-OF-INFORMED-CONSENT-IS-NOT-THE-PROXIMATE-CAUSE-OF-THE-ALLEGED-INJURY, WITHIN-120-DAYS-FROM-THE-DATE-THE-LAST-DEFENDANT-HAS-BEEN-SERVED CLAIMANT-FILED-THE-CERTIFICATE-OF-QUALIFIED-EXPERT-SET-FORTH-IN-PARAGRAPH-{1}-OF-THIS-SUBSECTION. IF-THE-DEFENDANT-DOES-NOT-DISPUTE-LIABILITY, A-CERTIFICATE-OF-A-QUALIFIED-EXPERT-IS-NOT-REQUIRED-UNDER-THIS-SUBSECTION.

{B}-THE-ATTORNEY-REPRESENTING-THE-PARTY, OR-THE-PARTY-PROCEEDING-PRO-SE, SHALL-FILE-THE-APPROPRIATE-CERTIFICATE-WITH-A-REPORT-OF-THE-ATTESTING-EXPERT-ATTACHED. DISCOVERY-IS-AVAILABLE-AS-TO-THE-BASIS-OF-THE-CERTIFICATE.

{C}-THE-ATTESTING-EXPERT-MAY-NOT-RECEIVE-MORE-THAN-50-PERCENT-OF-THE-EXPERT'S-INCOME-FROM-TESTIMONY-AND-OTHER-ACTIVITY-RELATED-TO-PERSONAL-INJURY-CLAIMS.

{C}-THE-ATTESTING-EXPERT-MAY-NOT-DEVOTE-ANNUALLY-MORE-THAN-20-PERCENT-OF-THE-EXPERT'S-PROFESSIONAL-ACTIVITIES-TO-ACTIVITIES-THAT-DIRECTLY-INVOLVE-TESTIMONY-IN-PERSONAL-INJURY-CLAIMS.

{D}-AN-EXTENSION-OF-THE-TIME-ALLOWED-FOR-FILING-A-CERTIFICATE-OF-A-QUALIFIED-EXPERT-UNDER-THIS-SECTION-MAY-BE-GRANTED-FOR-GOOD-CAUSE-SHOWN.

10-913-