

Article - Courts and Judicial Proceedings
Section 3-2A-02, 3-2A-03, 3-2A-04, 3-2A-05, 3-2A-06, and
3-2A-07
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

3-2A-02.

(a) (1) All claims, suits, and actions, including cross claims, third-party claims, and actions under Title 3 Subtitle 9 of this article, by a person against a health care provider for medical injury allegedly suffered by the person in which damages of more than [\$5,000] THE LIMIT OF THE CONCURRENT JURISDICTION OF THE DISTRICT COURT are sought are subject to and shall be governed by the provisions of this subtitle.

(2) An action or suit of that type may not be brought or pursued in any court of this State except in accordance with this subtitle.

(3) An action [in which damages of \$5,000 or less are sought] WITHIN THE CONCURRENT JURISDICTION OF THE DISTRICT COURT is not subject to the provisions of this subtitle.

(b) A claim filed under this subtitle and an initial pleading filed in any subsequent action may not contain a statement of the amount of damages sought other than that they are more than a required jurisdictional amount.

(C) EXCEPT AS OTHERWISE PROVIDED, THE MARYLAND RULES OF PROCEDURE SHALL APPLY TO ALL PRACTICE AND PROCEDURE ISSUES ARISING UNDER THIS SUBTITLE.

3-2A-03.

(a) The Health Claims Arbitration Office is created as a unit in the Executive Department. It is headed by a Director appointed by the Governor with the advice and consent of the Senate.

(b) (1) The Director shall receive the salary and may employ the staff provided in the State budget. He shall have the powers and perform the duties set forth in this subtitle.

(2) The Director shall have subpoena power in any claim for which a panel chairman has not been appointed and in any claim for which a chairman is not performing his duties in a timely fashion.