

(II) WHO, AS DETERMINED BY THE TREASURER, IS REQUIRED TO HAVE LIABILITY INSURANCE COVERING CLAIMS ARISING FROM SERVICES TO THIRD PARTIES PERFORMED BY THE STUDENT IN THE COURSE OF THE APPROVED CLINICAL TRAINING OR ACADEMIC PROGRAM;

(III) WHO, AS DETERMINED BY THE TREASURER, CANNOT OBTAIN COMMERCIAL LIABILITY INSURANCE AT AN AFFORDABLE COST; AND

(IV) WHO, AS DETERMINED BY THE TREASURER, MAY BE REQUIRED TO CONTRIBUTE TO AN INSURANCE PROGRAM FOR CLAIMS ARISING FROM SERVICES TO THIRD PARTIES PERFORMED BY THE STUDENT IN THE COURSE OF THE APPROVED CLINICAL TRAINING OR ACADEMIC PROGRAM.

12-105.

(A) State personnel are immune from suit in courts of the State and from liability in tort for a tortious act or omission that is within the scope of the public duties of the State personnel and is made without malice or gross negligence, and for which the State or its units have waived immunity under this subtitle, even if damages exceed the limits of that waiver.

(B) THE SCOPE OF PUBLIC DUTIES OF STATE PERSONNEL SHALL INCLUDE, BUT NOT BE LIMITED TO:

(1) ANY AUTHORIZED USE OF A STATE-OWNED VEHICLE BY STATE PERSONNEL, INCLUDING BUT NOT LIMITED TO COMMUTING TO AND FROM THE PLACE OF EMPLOYMENT; AND

(2) SERVICES TO THIRD PARTIES PERFORMED BY STATE PERSONNEL, AS DEFINED BY SECTION § 12-101(5) OF THIS SUBTITLE, IN THE COURSE OF PARTICIPATION IN AN APPROVED CLINICAL TRAINING OR ACADEMIC PROGRAM.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1987.

Approved May 14, 1987.

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