

~~committed} OF THE ALLEGEDLY--WRONGFUL--ACT--OR--OMISSION--or--(2) within--three--years--of--the--date--when--the--injury--was--discovered, whichever--is--the--shorter,--if--the--claimant--was--under--(16)--10--years of--age--at--the--time--(the--injury--was--committed} OF THE--ALLEGEDLY WRONGFUL--ACT--OR--OMISSION, the--time LIMITATIONS--PRESCRIBED--IN--THIS SECTION --shall--commence--when--he--reaches--the--age--of--(16)--10. Filing--of--a--claim--with--the--Health--Claims--Arbitration--Office--in accordance--with--§--3-2A-04--of--this--article--shall--be--deemed--the filing--of--an--action--for--purposes--of--this--section.~~

~~(B)--TO--THE--EXTENT--THAT--THEY--ARE--INCONSISTENT,--THE PROVISIONS--OF--§--5-201--OF--THIS--ARTICLE--DO--NOT--APPLY--TO--ACTIONS COVERED--BY--THIS--SECTION.~~

5-109.

(A) 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, SHALL BE FILED WITHIN THE EARLIER OF:

(1) FIVE YEARS OF THE TIME THE INJURY WAS COMMITTED;  
OR

(2) THREE YEARS OF THE DATE THE INJURY WAS DISCOVERED.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, IF THE CLAIMANT WAS UNDER THE AGE OF 11 YEARS AT THE TIME THE INJURY WAS COMMITTED, THE TIME LIMITATIONS PRESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL COMMENCE WHEN THE CLAIMANT REACHES THE AGE OF 11 YEARS.

(C) (1) THE PROVISIONS OF SUBSECTION (B) OF THIS SECTION MAY NOT BE APPLIED TO AN ACTION FOR DAMAGES FOR AN INJURY:

(I) TO THE REPRODUCTIVE SYSTEM OF THE CLAIMANT;  
OR

(II) CAUSED BY A FOREIGN OBJECT NEGLIGENTLY LEFT IN THE CLAIMANT'S BODY.

(2) IN AN ACTION FOR DAMAGES FOR AN INJURY DESCRIBED IN THIS SUBSECTION, IF THE CLAIMANT WAS UNDER THE AGE OF 16 YEARS AT THE TIME THE INJURY WAS COMMITTED, THE TIME LIMITATIONS PRESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL COMMENCE WHEN THE CLAIMANT REACHES THE AGE OF 16 YEARS.

(D) FOR THE PURPOSES OF THIS SECTION, THE FILING OF A CLAIM WITH THE HEALTH CLAIMS ARBITRATION OFFICE IN ACCORDANCE WITH § 3-2A-04 OF THIS ARTICLE SHALL BE DEEMED THE FILING OF AN ACTION.