

WILLIAM DONALD SCHAEFER, Governor

and the statistical probability of the alleged father's paternity is at least 97.3%.

(2) A laboratory report is prima facie evidence of the results of a blood test.

(3) If a laboratory report is admitted in evidence, the laboratory technician who made the test is subject to cross-examination by any party to the proceeding.

(F) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION, A COPY OF A LABORATORY REPORT OF THE RESULTS OF A BLOOD TEST SIGNED BY THE TECHNICIAN OR ANALYST WHO PERFORMED THE BLOOD TEST, IS ADMISSIBLE AS SUBSTANTIVE EVIDENCE WITHOUT THE PRESENCE OR TESTIMONY OF THE TECHNICIAN OR ANALYST WHO PERFORMED THE BLOOD TEST.

(2) TO BE ADMISSIBLE UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE LABORATORY REPORT MUST:

(I) IDENTIFY THE TECHNICIAN OR ANALYST AS A "QUALIFIED PERSON", AS DEFINED IN § 10-304 OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE; AND

~~(II) STATE THAT THE BLOOD TEST WAS PERFORMED WITH EQUIPMENT APPROVED BY THE TOXICOLOGIST UNDER THE POSTMORTEM EXAMINERS COMMISSION; AND~~

~~(II)~~ (II) STATE THAT THE RESULT OF THE BLOOD TEST IS AS STATED IN THE REPORT.

(G) (1) THE RESULTS OF A BLOOD TEST THAT COMPLIES WITH THE REQUIREMENTS OF SUBSECTION (F) OF THIS SECTION ARE ADMISSIBLE AS SUBSTANTIVE EVIDENCE WITHOUT THE PRESENCE OR TESTIMONY OF THE TECHNICIAN WHO ADMINISTERED THE BLOOD TEST.

(2) IF A PARTY DECIDES TO OFFER THE RESULTS OF A BLOOD TEST WITHOUT THE TESTIMONY OF THE TECHNICIAN, THE PARTY, AT LEAST 20 DAYS BEFORE TRIAL, SHALL NOTIFY THE ALLEGED FATHER OR HIS ATTORNEY IN WRITING OF THE PARTY'S INTENTION AND DELIVER TO THE ALLEGED FATHER OR HIS ATTORNEY A COPY OF THE RESULTS OF THE BLOOD TESTS TO BE OFFERED.

(3) (I) IF THE ALLEGED FATHER DESIRES THE TECHNICIAN TO BE PRESENT AND TESTIFY AT TRIAL, THE ALLEGED FATHER SHALL NOTIFY THE COURT AND THE OPPOSING PARTY IN WRITING NO LATER THAN 10 DAYS BEFORE TRIAL.

(II) IF SUCH TIMELY AND PROPER NOTICE IS GIVEN, THE RESULTS OF THE BLOOD TEST ARE INADMISSIBLE WITHOUT THE TESTIMONY OF THE TECHNICIAN.