

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-04.

(a)-(1)--A--person--having--a--claim--against--a--health-care provider--for--damage--due--to--a--medical--injury--shall--file--his--claim with--the--Director,--and--the--Director--shall--forward--copies--of--the claim--to--the--Commission--on--Medical--Discipline--of--Maryland--and--the Medical--and--Chirurgical--Faculty--of--the--State--of--Maryland,---The Director--shall--cause--a--copy--of--the--claim--to--be--served--upon--the health--care--provider--by--the--appropriate--sheriff--in--accordance with--the--Maryland--Rules. The--health--care--provider--shall--file--a response--with--the--Director--and--serve--a--copy--on--the--claimant--and all--other--health--care--providers--named--therein--within--the--time provided--in--the--Maryland--Rules--for--filing--a--responsive--pleading to--a--complaint. The--claim--and--the--response--may--include--a statement--that--the--matter--in--controversy--falls--within--one--or--more particular--recognized--specialties.

(2)--A--third--party--claim--shall--be--filed--within--30--days of--the--response--of--the--third--party--claimant--to--the--original--claim unless--the--parties--consent--to--a--later--filing--or--a--later--filing--is allowed--by--the--panel--chairman--for--good--cause--shown.

(3)--A--claimant--may--not--add--a--new--defendant--after--the arbitration--panel--has--been--selected,--or--10--days--after--the prehearing--conference--has--been--held,--whichever--is--later.

(4)--Until--all--costs--attributable--to--the--first--filing have--been--satisfied,--a--claimant--may--not--file--a--second--claim--on the--same--or--substantially--the--same--grounds--against--any--of--the same--parties.

(b) Unless the sole issue in the claim is lack of informed consent:

(1) A claim filed after July 1, 1986, shall be dismissed, without prejudice, if the claimant fails to file a certificate of a qualified expert with the Director attesting to departure from standards of care, and that the departure from standards of care is the proximate cause of the alleged injury, within 90 days from the date of the complaint. THE CLAIMANT SHALL SERVE A COPY OF THE CERTIFICATE ON ALL OTHER PARTIES TO THE CLAIM OR THEIR ATTORNEYS OF RECORD IN ACCORDANCE WITH THE MARYLAND RULES.

(2) A claim filed after July 1, 1986, shall be adjudicated in favor of the claimant on the issue of liability, if the defendant disputes liability and fails to file a certificate of a qualified expert attesting to compliance with