

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, if the claim is against a physician, the Director shall forward copies of the claim to the State Board of Physician Quality Assurance[, or its successor,] 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.

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

(6) In the case of a claim against a physician, the Director shall forward copies of the certificates filed under paragraphs (1) and (2) of this subsection to the State Board of Physician Quality Assurance [or its successor].

DRAFTER'S NOTE:

Error: Obsolete language in § 3-2A-04(a)(1) and (b)(6) of the Courts and Judicial Proceedings Article.

Occurred: Ch. 138, Acts of 1988.

(d) (2) If:

(iii) Within the time period specified in paragraph (1) of this subsection, multiple claimants or multiple health care providers fail to agree on their strikes in any category, they shall notify the Director of their disagreement, and the Director may make the strikes on their behalf with respect to that category; AND

DRAFTER'S NOTE:

Error: Omitted conjunction in § 3-2A-04(d)(2)(iii) of the Courts and Judicial Proceedings Article.

Occurred: Ch. 235, Acts of 1976.

3-2A-06.