

providing that suits brought under State law, the State shall be governed by the Maryland Dentistry Act.

BY adding to

Article - Health Occupations  
Section 4-501.1  
Annotated Code of Maryland  
(1986 Replacement Volume and 1988 Supplement)

Preamble

WHEREAS, Congress enacted the Health Care Quality Improvement Act of 1986 (The Act) to provide protection from liability for damages under federal and State law to dental review bodies and to individuals participating in professional peer review activities; and

WHEREAS, The State has the option of "opting out" of the Act with respect to the application of the Act's provisions providing limitations on damages for suits brought under State law on or after October 14, 1989; and

WHEREAS, In order to opt out the State must do so by legislation; and

WHEREAS, If the State does not opt out, the damage limitation provisions of the Act will apply to suits brought under State law on or after October 14, 1989; and

WHEREAS, The Maryland Dentistry Act provides greater immunity protection for actions brought under State law; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health Occupations

4-501.1.

(A) IN ACCORDANCE WITH THE FEDERAL HEALTH CARE QUALITY IMPROVEMENT ACT OF 1986, THE STATE ELECTS NOT TO BE GOVERNED BY THE PROVISIONS OF THE ACT THAT PROVIDE LIMITATIONS ON DAMAGES FOR SUITS BROUGHT UNDER STATE LAW AGAINST DENTAL REVIEW BODIES AND TO INDIVIDUALS PARTICIPATING IN PROFESSIONAL PEER REVIEW ACTIVITIES.

(B) FOR SUITS BROUGHT UNDER STATE LAW, THE STATE SHALL BE GOVERNED BY THIS TITLE.