

AN ACT concerning

Mental Health Care Providers - Limits on Liability

FOR the purpose of providing that no cause of action or disciplinary action may arise against certain mental health care providers or certain administrators of certain facilities for failing to take certain actions to provide protection from a patient's violent behavior; providing a certain exception; providing specific methods by which certain mental health care providers or administrators of certain facilities may discharge a certain duty; providing that no cause of action or disciplinary action may arise against certain mental health care providers or administrators of certain facilities for certain actions to discharge a duty under this Act; defining certain terms; providing for the construction and application of this Act; and generally relating to limiting the civil liability of certain mental health care providers and administrators of certain facilities.

BY adding to

Article - Courts and Judicial Proceedings
Section 5-315
Annotated Code of Maryland
(1984 Replacement Volume and 1988 Supplement)

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

Article - Courts and Judicial Proceedings

5-315.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "MENTAL HEALTH CARE PROVIDER" MEANS A MENTAL HEALTH CARE PROVIDER LICENSED UNDER THE HEALTH OCCUPATIONS ARTICLE.

(3) "ADMINISTRATOR" MEANS AN ADMINISTRATOR OF A FACILITY AS DEFINED IN § 10-101 OF THE HEALTH - GENERAL ARTICLE.

(A) (B) A CAUSE OF ACTION OR DISCIPLINARY ACTION MAY NOT ARISE AGAINST ANY MENTAL HEALTH CARE PROVIDER LICENSED UNDER THE HEALTH OCCUPATIONS ARTICLE OR ANY ADMINISTRATOR OF A FACILITY AS