

(F) (1) WITHIN 60 DAYS AFTER THE FILING OF AN ELECTION TO WAIVE ARBITRATION BY ANY PARTY, THE PLAINTIFF SHALL FILE A COMPLAINT AND A COPY OF THE ELECTION TO WAIVE ARBITRATION IN THE APPROPRIATE CIRCUIT COURT OR THE UNITED STATES DISTRICT COURT.

(2) AFTER FILING THE COMPLAINT, THE PLAINTIFF SHALL SERVE A SUMMONS AND A COPY OF THE COMPLAINT UPON ALL DEFENDANTS OR THE ATTORNEY OF RECORD FOR ALL PARTIES IN THE HEALTH CLAIMS ARBITRATION PROCEEDING.

(3) FAILURE TO FILE A COMPLAINT WITHIN 60 DAYS OF FILING THE ELECTION TO WAIVE ARBITRATION MAY CONSTITUTE GROUNDS FOR DISMISSAL OF THE COMPLAINT UPON:

(I) A MOTION BY AN ADVERSE PARTY; AND

(II) A FINDING OF PREJUDICE TO THE ADVERSE PARTY DUE TO THE DELAY IN THE FILING OF THE COMPLAINT.

(G) AFTER THE FILING OF AN ELECTION TO WAIVE ARBITRATION UNDER THIS SECTION, IF A PARTY JOINS AN ADDITIONAL HEALTH CARE PROVIDER AS A DEFENDANT IN AN ACTION, THE PARTY SHALL FILE A CERTIFICATE OF QUALIFIED EXPERT REQUIRED BY § 3-2A-04(B) OF THIS SUBTITLE WITH RESPECT TO THE ADDITIONAL HEALTH CARE PROVIDER.

(H) IN ANY CASE SUBJECT TO THIS SECTION, THE PROCEDURES OF § 3-2A-06(F) OF THIS SUBTITLE SHALL APPLY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect on or application to any claim filed before the effective date of this Act.

SECTION 4. 3. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~ October 1, 1995.

Approved May 25, 1995.

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**CHAPTER 583**

**(House Bill 1087)**

AN ACT concerning

**Trust or Fiduciary Powers – Corporate Trustees**

FOR the purpose of authorizing certain persons to exercise trust or fiduciary powers in this State; authorizing certain out-of-state financial institutions to exercise trust or fiduciary powers in this State under certain conditions; requiring out-of-state financial institutions exercising trust or fiduciary powers in this State to file certain information with the State Bank Commissioner; and generally relating to the exercise of trust or fiduciary powers in this State by certain persons.