

**Article - Courts and Judicial Proceedings**

10-104.

(a) ~~(1)~~ (1) The provisions of this section apply only to a proceeding in the District Court ~~OR A CIRCUIT COURT~~ for a claim for:

~~(1)~~ (I) Damages for personal injury;

~~(2)~~ (II) Medical, hospital, or disability benefits under Article 48A, § 539 of the Code;

~~(3)~~ (III) First party motor vehicle medical payments under Article 48A, § 541 of the Code; and

~~(4)~~ (IV) First party health insurance benefits.

(2) SUBJECT TO THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION, THE PROVISIONS OF THIS SECTION APPLY TO A PROCEEDING IN:

(I) THE DISTRICT COURT; OR

(II) A CIRCUIT COURT IF:

1. THE CASE WAS ORIGINALLY FILED IN THE DISTRICT COURT;

2. THE CASE WAS TRANSFERRED FROM THE DISTRICT COURT TO A CIRCUIT COURT; AND

3. THE AMOUNT IN CONTROVERSY IN THE ACTION IN THE CIRCUIT COURT DOES NOT EXCEED THE AMOUNT SPECIFIED IN § 4-401 OF THIS ARTICLE FOR THAT TYPE OF ACTION.

(b) (1) A medical, dental, ~~†or‡~~ hospital, ~~OR OTHER HEALTH CARE~~ writing or record described in this section is admissible under this section if:

(i) The writing or record is offered in the trial of a civil action in the District Court ~~OR A CIRCUIT COURT~~;

(ii) At least ~~30~~ 60 days, except as provided in paragraph (2) of this subsection, before the beginning of the trial, the party who intends to introduce the writing or record files with the clerk of the [District Court] COURT and serves on all other parties as provided under Maryland Rule 1-321:

1. Notice of the party's intent to introduce the writing or record without the support of a physician's, dentist's, ~~†or‡~~ hospital employee's, ~~OR OTHER HEALTH CARE PROVIDER'S~~ testimony; and

2. A copy of the writing or record; and

(iii) The writing or record is otherwise admissible.

(2) A party, who receives a notice under paragraph (1) of this subsection and intends to introduce another medical, dental, ~~†or‡~~ hospital, ~~OR OTHER HEALTH~~